



# AGENDA

## BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.

MEETING LOCATION Mammoth Lakes Suite Z, 437 Old Mammoth Rd. Suite Z, Mammoth Lakes, CA 93546

### Special Meeting December 20, 2016

**TELECONFERENCE LOCATIONS:** 1) First and Second Meetings of Each Month: Mammoth Lakes CAO Conference Room, 3rd Floor Sierra Center Mall, 452 Old Mammoth Road, Mammoth Lakes, California, 93546; 2) Third Meeting of Each Month: Mono County Courthouse, 278 Main, 2nd Floor Board Chambers, Bridgeport, CA 93517. Board Members may participate from a teleconference location. Note: Members of the public may attend the open-session portion of the meeting from a teleconference location, and may address the board during any one of the opportunities provided on the agenda under Opportunity for the Public to Address the Board.

**NOTE:** In compliance with the Americans with Disabilities Act if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (760) 932-5534. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517), and in the County Offices located in Minaret Mall, 2nd Floor (437 Old Mammoth Road, Mammoth Lakes CA 93546). Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). **ON THE WEB:** You can view the upcoming agenda at [www.monocounty.ca.gov](http://www.monocounty.ca.gov). If you would like to receive an automatic copy of this agenda by email, please send your request to Clerk of the Board: [hunn@mono.ca.gov](mailto:hunn@mono.ca.gov)

***UNLESS OTHERWISE SPECIFIED BY TIME, ITEMS SCHEDULED FOR EITHER THE MORNING OR AFTERNOON SESSIONS WILL BE HEARD ACCORDING TO AVAILABLE TIME AND PRESENCE OF INTERESTED PERSONS. PUBLIC MAY COMMENT ON AGENDA ITEMS AT THE TIME THE ITEM IS HEARD.***

9:00 AM Call meeting to Order

Pledge of Allegiance

#### 1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

on items of public interest that are within the subject matter jurisdiction of the Board.

(Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

**2. APPROVAL OF MINUTES - NONE**

**3. RECOGNITIONS**

**A. Resolution Recognizing Greg Newbry for his Years of Service to Mono County**

Departments: Information Technology

Presentation of resolution recognizing Greg Newbry for his years of public service.

**Recommended Action:** Adopt Resolution recognizing Greg Newbry for his years of service.

**Fiscal Impact:** None.

**B. Resolution of Appreciation to Supervisor Fesko**

Departments: Clerk of the Board

Proposed resolution of appreciation to outgoing Supervisor Tim Fesko

**Recommended Action:** Adopt resolution

**Fiscal Impact:** None

**C. Resolution of Appreciation to Supervisor Alpers**

Departments: Clerk of the Board

Proposed resolution of appreciation to outgoing Supervisor Tim Alpers.

**Recommended Action:** Adopt resolution

**Fiscal Impact:** None

**4. BOARD MEMBER REPORTS**

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

**5. COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments  
Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

**6. DEPARTMENT/COMMISSION REPORTS**

**7. CONSENT AGENDA**

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

**A. Change to Allocation List for Solid Waste Division**

Departments: Public Works, Solid Waste Division

Proposed resolution Amending the Allocation List to reflect the increase of one Solid Waste Maintenance Worker, and the elimination of one Solid Waste Gate Attendant.

**Recommended Action:** Adopt proposed resolution #R16-\_\_\_, Amending the Allocation List to reflect the increase of one Solid Waste Maintenance Worker, and the elimination of one Solid Waste Gate Attendant. Provide any desired direction to staff.

**Fiscal Impact:** Approximately \$9,620 per year, funded by the Solid Waste Enterprise Fund.

**B. Resolution Delaying Revisions to Personnel Rules Related to Biweekly Payroll**

Departments: CAO / Finance/HR

Proposed resolution amending sections 090 and 240 of the Mono County Personnel Rules to address delayed implementation of biweekly pay periods.

**Recommended Action:** Adopt proposed resolution #R16-\_\_\_, amending sections 090 and 240 of the Mono County Personnel Rules to address delayed implementation of biweekly pay periods. Provide any desired direction to staff.

**Fiscal Impact:** None.

**C. Amendment to Employment Agreement with Shannon Kendall**

Departments: Clerk of the Board of Supervisors

Proposed resolution approving an amendment to the Employment Agreement of Shannon Kendall to appoint Ms.Kendall as Acting Clerk/Recorder/Registrar/Clerk of the Board.

**Recommended Action:** Adopt Resolution #R16 - \_\_\_\_, approving amendment to Employment Agreement of Shannon Kendall.

**Fiscal Impact:** Approximate impact to the general fund for the next six months is \$7,800 for salary and \$3,250 for benefits for a combined total cost of \$11,050.

**D. Re-Appointment to Mono County Child Care Council**

Departments: Clerk of the Board

Re-appointment of Dyanna Hernandez and Sandra Villalpando to the Mono County

Child Care Council for terms of two years beginning 1/1/2017 and expiring 12/31/18. This item is sponsored by Supervisor Corless.

**Recommended Action:** Reappoint Dyanna Hernandez and Sandra Villalpando to the Mono County Child Care Council, with terms expiring 12/31/18.

**Fiscal Impact:** None.

**8. CORRESPONDENCE RECEIVED**

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

**A. Correspondence from Board of State and Community Corrections**

Departments: Clerk of the Board

Correspondence dated November 21, 2016 to the Sheriff-Coroner regarding the 2014-2016 Biennial Inspection of the Mono County Jail. The Board of Supervisors was cc'd on this correspondence.

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**9. REGULAR AGENDA - MORNING**

**A. Fisheries Commission Update**

Departments: Economic Development

20 minutes (15 minute presentation; 5 minute discussion)

(Gaye Mueller, Chair of the Mono County Fisheries Commission) - Presentation by Gaye Mueller regarding the Mono County Fisheries Commission successes over the past year as well as an update on the Kids Fishing Festival.

**Recommended Action:** None (informational only). Provide any desired direction to staff.

**Fiscal Impact:** None.

**B. Building Code Cycle Adoption**

Departments: Community Development

PUBLIC HEARING: 10:00 A.M.

(Wendy Sugimura; Jim Shoffner) - California Building Standards Code Cycle adoption.

**Recommended Action:** 1. Conduct a public hearing on the adoption of the 2016 California Building Codes; 2. Introduce, read title, and waive further reading of a proposed ordinance to adopt a revised Chapter 15.04 of Mono County Code Title 15, and amend the previously adopted California Building Standards Code; and 3. Direct Clerk to schedule ordinance for adoption at the Board's next regular meeting;

direct filing of modification, if approved, with the California Building Standards Commission; provide further direction to staff.

**Fiscal Impact:** No impact to general fund.

**C. Reducing Racial and Ethnic Disparity Grant**

Departments: Probation

10 minutes (5 minute presentation; 5 minute discussion)

(Karin Humiston) - Proposed Resolution, Agreeing to Participate in the Enhanced Racial and Ethnic Disparity Grant Project (R.E.D. Phase III), Authorizing the Probation Chief to Submit the Grant and to Execute any Corresponding Grant Agreement.

**Recommended Action:** Adopt proposed resolution #R16-\_\_\_, Agreeing to Participate in the Enhanced Racial and Ethnic Disparity Grant Project (R.E.D. Phase III), Authorizing the Probation Chief to Submit the Grant Application and Execute the Grant Agreement.. Provide any desired direction to staff.

**Fiscal Impact:** There is no fiscal impact to the general fund. The grant is for \$150,000. There will be Revenue of \$150,000 and expenses of \$150,000 in the Juvenile Probation Department Budget (500).

**D. Tax Appeal Impound Fund**

Departments: Finance

15 minutes (5 minutes presentation; 10 minutes discussion)

(Janet Dutcher) - Authorize impounding of \$1,400,000 associated with pending appeals.

**Recommended Action:** Approve and authorize the Finance Director to impound \$1,400,000 of redeemed taxes to offset anticipated tax appeal results covering fiscal years 2010, 2011, 2012, 2013, 2014 and 2015.

**Fiscal Impact:** By impounding an additional \$1,400,000 in addition to the existing balance of \$1,047,000 in the impound fund, the County and other property tax jurisdictions are less likely to experience significant reductions in future current secured tax distributions when tax appeal refunds are issued. The money used to impound taxes was generated from delinquent property tax payments that was not anticipated when this year's budget was prepared.

**E. Silver Pines Chalet TOT Penalty Appeal and Request for Installment Plan**

Departments: Finance

15 minutes (5 minutes presentation; 10 minutes discussion)

(Janet Dutcher/Gerald Frank) - TOT penalty appeal for Silver Pines Chalet and request for repayment agreement of TOT taxes for quarters ended September 2015, December 2015, March 2016, June 2016 and September 2016.

**Recommended Action:** 1. Consider and approve, approve with modifications, or deny Sierra Pines Chalet's appeal requesting waiver of penalties for prior unpaid Transient Occupancy Tax. 2. Consider and approve, approve with modifications, or deny Sierra Pines Chalet's request for an installment plan for unpaid Transient Occupancy Tax.

**Fiscal Impact:** The fiscal impact would be the loss of \$6,288.92 in penalties, if the waiver is approved.

**F. Restoration of Three Positions to the County Administration Office**

Departments: CAO

20 minutes (10 minute presentation; 10 minute discussion)

(Leslie Chapman) - 1. Proposed resolution to modify the Personnel Allocation List and restore three positions to the County Administrator's office. 2. Budget amendment to allocate contingencies or Economic Stabilization funds for the positions.

**Recommended Action:** Adopt proposed resolution #R16-\_\_\_, Authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to reflect the addition of an Assistant County Administrator, a Human Resources Generalist, and a Deputy County Administrative Officer/Director of Communications in the County Administrative Office department; and approve budget amendment.

**Fiscal Impact:** Assistant County Administrative Officer - \$75,181 including benefits for the remainder of the 2016-17 fiscal year, and \$180,433 for a full year. Human Resources Generalist - \$44,454 including benefits for the remainder of the 2016-17 fiscal year, and \$106,689 for a full year. Deputy CAO – Communications Director - \$58,313 including benefits for the remainder of the 2016-17 fiscal year, and \$139,951 for a full year. If all three positions are funded, a total of \$177,948 will need to be appropriated from contingencies or economic stabilization funds.

**G. Out of State Travel Authorization for NACo Legislative Conference**

Departments: Board of Supervisors

5 minutes

(Supervisor Corless) - Out of State travel request for Supervisor Corless and one other supervisor to attend NACo conference in Washington D.C.

**Recommended Action:** Approve out of state travel for Mono County Supervisor Stacy Corless (the county's NACo representative) and another Supervisor, as desired, to attend the NACo Legislative Conference in Washington, D.C. February 25-March 1.

**Fiscal Impact:** Up to \$1500 per person for conference registration, hotel stay, air travel. Supervisor Corless will use personal airline miles to cover most of the flight cost.

**H. RCRC Policy Principles**

Departments: Clerk of the Board

(Supervisor Corless) - Board comments on Rural County Representatives of California (RCRC) Policy Principles document.

**Recommended Action:** Review and provide initial comments on the Policy Principles document. Comments are due to RCRC Board of Directors no later than January 4, 2017.

**Fiscal Impact:** None

**I. 2017 Airport Capital Improvement Plans for Lee Vining Airport and Bryant Field**

Departments: Public Works

10 minutes (5 minute presentation; 5 minute discussion)

(Garrett Higerd) - Annual Airport Capital Improvement Plans prioritize projects for the next five years at both Mono County airports - Bryant Field and Lee Vining Airport.

**Recommended Action:** Approve 2017 ACIPs for Lee Vining Airport and Bryant Field. Approve submittal of FAA grant applications for crack seal and slurry seal work on airport tie down aprons in 2017.

**Fiscal Impact:** Projects will be funded with \$89,000 in FAA grant funds and a 10% local match from the airport enterprise fund. If approved, the Airports budget will be updated to reflect the addition of these projects during mid-year budget hearings.

**J. South County Facility Workshop**

Departments: Public Works

1.25 hours (15 minute presentation; 60 minute discussion)

(Tony Dublino) - Presentation by Tony Dublino, updating Board on the ongoing analysis of a County owned facility in Mammoth Lakes.

**Recommended Action:** Receive presentation and provide any desired direction to staff.

**Fiscal Impact:** None at this time.

**10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

**11. CLOSED SESSION**

**A. Closed Session--Human Resources**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, and Dave Butters. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

**B. Closed Session - Exposure to Litigation**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: Two.

**THE REGULAR AGENDA WILL RECONVENE AFTER CLOSED SESSION IF NECESSARY**

**12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

**ADJOURN**





OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** December 20, 2016

**Departments: Information Technology**

**TIME REQUIRED**

**SUBJECT** Resolution Recognizing Greg Newbry  
for his Years of Service to Mono  
County

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

### AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation of resolution recognizing Greg Newbry for his years of public service.

### RECOMMENDED ACTION:

Adopt Resolution recognizing Greg Newbry for his years of service.

### FISCAL IMPACT:

None.

**CONTACT NAME:** Nate Greenberg

**PHONE/EMAIL:** (760) 924-1819 / ngreenberg@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH  
ATTACHMENTS TO THE OFFICE OF  
THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY**  
**32 DAYS PRECEDING THE BOARD MEETING**

### SEND COPIES TO:

### MINUTE ORDER REQUESTED:

YES  NO

### ATTACHMENTS:

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[Resolution](#)

### History

Time

12/14/2016 11:12 AM

Who

County Administrative Office

Approval

Yes

12/14/2016 11:47 AM

County Counsel

Yes

12/14/2016 2:20 PM

Finance

Yes

## RESOLUTION OF APPRECIATION RECOGNIZING GREG NEWBRY FOR HIS YEARS OF SERVICE

**WHEREAS**, Greg has been a longtime resident of Mammoth Lakes and truly loves the people and place of the Eastern Sierra, which is evident through his passion for outdoor pursuits, his enjoyment in leading backpacking trips for friends, and his beautiful photography which can be seen hanging around town;

**WHEREAS**, his desire to improve the community in which he lives drove Greg to participate in local government by serving as Mayor for the Town of Mammoth Lakes, as a long-standing member of the School Board, and the Board Member for the Mammoth Community Water District, in addition to serving as an election worker in Mammoth Lakes for nearly 20 years;

**WHEREAS**, as one of the first Mammoth Lakes Town Council members, Greg was known for progressive leadership, environmental stewardship, and lone dissenting votes on topics including trails and affordable housing;

**WHEREAS**, gifted in reinventing himself, Greg served many diverse staff roles, from code enforcement, waste management, planning, and Information Technology (which ultimately drove him into retirement);

**WHEREAS**, during his tenure as a Planner for Mono County, Greg's accomplishments included the development of an internal electronic permit-tracking system (dubbed "Newbrella"), the processing of numerous permits and plans, performing visual analysis & simulations, encouraging trails and Main Street planning, leading the Crowley Park Plan, encouraging Sage Grouse conservation, participating in several General Plan amendments, developing Dark Skies regulations, stimulating staff meeting discussions, and ensuring that the RPACs were always well staffed;

**WHEREAS**, at a time when there were only a few computers, no coordinated email accounts, or even an IT Department, Greg created Mono County's first computer network and housed shared files for the Planning Department on a make-shift server that he built and managed;

**WHEREAS**, in 2000, Greg had the vision and need for having a continuous 'basemap' of parcels for the County and so directed Nate Greenberg (as an intern) to embark on a two-week-long arts and crafts project of taping Assessor parcel map book pages together. This spawned Nate to develop the County's Geographic Information System - with the hope of never having to take on a project like that again;

**WHEREAS**, Greg has a long history of community advocacy and commitment, inspiring him to dress up as Santa Claus each holiday season, serve on numerous local "friends" groups, participate in volunteer efforts and community events such as Jazz Jubilee, and the 4th of July committee;

**WHEREAS**, Greg has always been a believer in people and interested in doing and saying what is 'right,' as opposed to what is popular, even at the expense of making a fool of himself or saving face;

**WHEREAS**, his lack of concern for saving face was reflected through always dressing up for Halloween, inspiring a bit of the absurd, and generally bringing joy (mixed with a bit of pain) to friends and co-workers;

**WHEREAS**, his bright spirit, jovial personality, and positive attitude will be sorely missed in the County, but we wish him the best as he continues to walk many miles of trail during his years of retirement – Greg may you never get lost again.

**NOW, THEREFORE, BE IT RESOLVED** that the Mono County Board of Supervisors sincerely thanks Greg Newbry and commends him for his years of valuable service to Mono County, the Town of Mammoth Lakes, and our citizens.

**APPROVED AND ADOPTED** this 20<sup>th</sup> day of December, 2016, by the Board of Supervisors, County of Mono.

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Larry Johnston, Supervisor District #1

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Fred Stump, Supervisor District #2

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Tim Alpers, Supervisor District #3

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Tim Fesko, Supervisor District #4

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Stacy Corless, Supervisor District #5



**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 20, 2016

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT** Resolution of Appreciation to  
Supervisor Fesko

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution of appreciation to outgoing Supervisor Tim Fesko

**RECOMMENDED ACTION:**

Adopt resolution

**FISCAL IMPACT:**

None

**CONTACT NAME:** Helen Nunn

**PHONE/EMAIL:** x5534 / hnunn@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH  
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THE COUNTY ADMINISTRATOR  
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**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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No Attachments Available

**History**

Time	Who	Approval
12/14/2016 6:12 PM	County Administrative Office	Yes

12/15/2016 1:10 AM

County Counsel

Yes

12/14/2016 5:34 PM

Finance

Yes



**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 20, 2016

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT** Resolution of Appreciation to  
Supervisor Alpers

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution of appreciation to outgoing Supervisor Tim Alpers.

**RECOMMENDED ACTION:**

Adopt resolution

**FISCAL IMPACT:**

None

**CONTACT NAME:** Helen Nunn

**PHONE/EMAIL:** x5534 / hnunn@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH  
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**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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No Attachments Available

**History**

Time	Who	Approval
12/14/2016 6:16 PM	County Administrative Office	Yes

12/15/2016 1:10 AM

County Counsel

Yes

12/14/2016 5:34 PM

Finance

Yes



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** December 20, 2016

**Departments: Public Works, Solid Waste Division**

**TIME REQUIRED**

**SUBJECT** Change to Allocation List for Solid Waste Division

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution Amending the Allocation List to reflect the increase of one Solid Waste Maintenance Worker, and the elimination of one Solid Waste Gate Attendant.

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### RECOMMENDED ACTION:

Adopt proposed resolution #R16-\_\_\_, Amending the Allocation List to reflect the increase of one Solid Waste Maintenance Worker, and the elimination of one Solid Waste Gate Attendant. Provide any desired direction to staff.

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### FISCAL IMPACT:

Approximately \$9,620 per year, funded by the Solid Waste Enterprise Fund.

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**CONTACT NAME:** Tony Dublino

**PHONE/EMAIL:** 760.932.5453 / tdublino@mono.ca.gov

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ATTACHMENTS TO THE OFFICE OF  
THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY**  
**32 DAYS PRECEDING THE BOARD MEETING**

**SEND COPIES TO:**

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### MINUTE ORDER REQUESTED:

YES  NO

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### ATTACHMENTS:

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[Staff Report](#)

[Resolution](#)

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History



<b>Time</b>	<b>Who</b>	<b>Approval</b>
12/14/2016 11:20 AM	County Administrative Office	Yes
12/14/2016 5:40 PM	County Counsel	Yes
12/14/2016 2:10 PM	Finance	Yes



# MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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POST OFFICE BOX 457 • 74 NORTH SCHOOL STREET • BRIDGEPORT, CALIFORNIA 93517  
760.932.5440 • Fax 760.932.5441 • [monopw@mono.ca.gov](mailto:monopw@mono.ca.gov) • [www.monocounty.ca.gov](http://www.monocounty.ca.gov)

**Date:** December 20, 2016  
**To:** Honorable Chair and Members of the Board of Supervisors  
**From:** Tony Dublino, Solid Waste Superintendent  
**Subject:** Allocation List Change Request – Solid Waste Maintenance Worker

**Recommended Action:**

Approve Resolution 16-\_\_\_, authorizing CAO to change Allocation List to reflect an increase of one Solid Waste Maintenance Worker (for total of 3), and eliminate currently allocated Gate Attendant position from one to zero.

**Fiscal Impact:**

The change would result in additional annual costs of approximately \$9,620 in salary and benefits combined. The related fiscal impact would be borne by the Solid Waste Enterprise Fund, which is capable of paying for the additional cost with fund balance without any General Fund impact.

**Discussion:**

Recently, one of our valued Solid Waste Maintenance Workers at Benton Crossing Landfill decided to request a transfer to the Road Division, at the Crowley Road Shop. That transfer request is being granted, leaving vacant one of two Solid Waste Maintenance Worker positions. The resulting vacancy is anticipated to be filled by the current Gate Attendant, an exemplary employee who has been working out-of-class as a maintenance worker, and by all accounts is deserving of the promotion.

The Gate Attendant has been working out-of-class because of a modified duty accommodation for our other Maintenance Worker, who is now working as a Gate Attendant. Because this modified duty assignment is not expected to end soon, it does not appear reasonable to fill the Gate Attendant position when the new employee will immediately be working out-of-class focused on Maintenance Worker tasks.

Therefore, the current request is to change the Allocation List to remove the Gate Attendant position and create a third Maintenance Worker position.

If you have any questions regarding this item, please contact Tony Dublino (760) 932-5453.

Respectfully submitted,

Tony Dublino  
Solid Waste Superintendent



RESOLUTION NO. R16-

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS  
AUTHORIZING THE COUNTY ADMINISTRATIVE OFFICER TO AMEND THE COUNTY  
OF MONO LIST OF ALLOCATED POSITIONS TO REFLECT THE ADDITION OF A SOLID  
WASTE MAINTENANCE WORKER  
AND THE DELETION OF A SOLID WASTE GATE ATTENDANT  
IN THE PUBLIC WORKS DEPARTMENT**

**WHEREAS**, the County of Mono maintains a list, of County job classifications, the pay ranges or rates for those job classifications, and the number of positions allocated by the Board of Supervisors for each of those job classifications on its List of Allocated Positions (or "Allocation List"); and

**WHEREAS**, the Allocation List identifies approved vacancies for recruitment and selection by Human Resources and implements collective bargaining agreements related to job classifications and pay rates; and

**WHEREAS**, the County seeks to provide public services in the most efficient and economical manner possible, which at times requires the modification of job classifications on the Allocation List; and

**WHEREAS**, it is currently necessary to amend the Allocation List as part of maintaining proper accountability for hiring employees to perform public services;

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES** as follows:

The County Administrative Officer is authorized to amend the County of Mono List of Allocated Positions to reflect the following changes:

Increase the allocation of full time Solid Waste Maintenance Workers in the Department of Public Works by one (salary \$3,614-\$4,393).

Decrease the allocation of full-time Solid Waste Gate Attendants in the Department of Public Works by one\_ (salary \$2,981-\$3,624).

//

1 PASSED AND ADOPTED this 20th day of December 2016, by the following

2 Vote:

3 AYES :  
4 NOES :  
5 ABSTAIN :  
6 ABSENT :

7 ATTEST: \_\_\_\_\_ Fred Stump, Chairman  
8 Clerk of the Board Board of Supervisors

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10 APPROVED AS TO FORM:

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12 \_\_\_\_\_  
13 COUNTY COUNSEL

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**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 20, 2016

**Departments: CAO / Finance/HR**

**TIME REQUIRED**

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**SUBJECT** Resolution Delaying Revisions to  
Personnel Rules Related to Biweekly  
Payroll

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution amending sections 090 and 240 of the Mono County Personnel Rules to address delayed implementation of biweekly pay periods.

**RECOMMENDED ACTION:**

Adopt proposed resolution #R16-\_\_\_\_, amending sections 090 and 240 of the Mono County Personnel Rules to address delayed implementation of biweekly pay periods. Provide any desired direction to staff.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Leslie Chapman, Janet Dutcher, Dave Butters

**PHONE/EMAIL:** 932-5414 (Leslie), 932-5494 (Janet), 932-5413 (Dave) / lchapman@mono.ca.gov, jdutcher@mono.ca.gov, dbutters@mono.ca.gov

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**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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<input type="checkbox"/> <a href="#">Staff report</a>
<input type="checkbox"/> <a href="#">Resolution</a>
<input type="checkbox"/> <a href="#">Exhibit A</a>

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**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
12/14/2016 9:53 AM	County Administrative Office	Yes
12/14/2016 11:47 AM	County Counsel	Yes
12/14/2016 9:41 AM	Finance	Yes



## COUNTY OF MONO

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P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517

(760) 932-5413 • FAX (760) 932-5411

*Dave Butters*

*Director of Human Resources*

To: Honorable Board of Supervisors

From: Dave Butters, Director of Human Resources

Date: December 20, 2016

Subject: Personnel Rule Changes for Conversion to Biweekly Payroll

Recommendation: Adopt proposed resolution.

Background: In November the Board approved revisions to two Personnel Rules (090 and 240) in order to implement the change to a biweekly pay period, effective January 1, 2017. It now appears that the County will be unable to implement biweekly pay periods by that date, due to technical issues with the payroll software.

Accordingly, the proposed resolution would delay the revisions to Personnel Rules 090 and 240 until the payroll system is operable.

Fiscal Impact: None

For questions, please call Dave Butters at 760 932-5413 or email [dbutters@mono.ca.gov](mailto:dbutters@mono.ca.gov)



R16-\_\_

**A RESOLUTION OF THE MONO COUNTY  
BOARD OF SUPERVISORS AMENDING  
SECTIONS 090 AND 240 OF THE MONO COUNTY  
PERSONNEL RULES TO ADDRESS  
DELAYED IMPLEMENTATION  
OF BIWEEKLY PAY PERIODS**

**WHEREAS**, the Mono County Personnel Rules applicable to all employee bargaining units were amended, effective January 1, 2017, to provide for biweekly pay periods (Section 240) and to address corresponding changes to the timing of step increases in conjunction with the more frequent pay periods (Section 090); and

**WHEREAS**, since that time, it has become apparent that the County, due to technical issues with payroll software, will not be able to implement biweekly pay as early as January 1, 2017; and

**WHEREAS**, staff has informed all bargaining units and employees of the delay, including advising that biweekly pay will be implemented as soon as the system is operable without defects; and

**WHEREAS**, accordingly, the Board wishes to again amend the Personnel Rules to reflect the delayed implementation of the biweekly pay system;

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES** that:

Effective January 1, 2017, Sections 090 and 240 of the Mono County Personnel Rules applicable to all bargaining units are amended to read as shown in Exhibit "A", attached hereto and incorporated by this reference.

**PASSED, APPROVED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Fred Stump, Chair  
Mono County Board of Supervisors



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ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
County Counsel

## **Exhibit "A"**

### **090 Salary Step Advancement**

After six months of satisfactory service a new, probationary employee who started at Step A, or a current employee promoted to a new position at Step A, is eligible to receive a step advancement to Step Aa. This date shall be the employee's new anniversary date. Upon implementation of a biweekly pay period, the step increase shall apply to the entire pay period in which the new anniversary date falls (for example, if the new anniversary date falls on the fifth day of the pay period, the employee will receive the increase for the entire pay period). All permanent County employees at any step other than Step "A," (excepting Department Heads, at-will employees, and elected officials) will become eligible to advance one step after a satisfactory service period of one year on the employee's anniversary date. Until such time as a biweekly pay period is implemented, step increases shall continue to be implemented the first day of the month following the date of hire if the date of hire falls on or after the 15<sup>th</sup> of the month and the first day of the month of hire if the date of hire falls before the 15<sup>th</sup> of the month. Step increases shall not be automatic, but shall only be given upon affirmative recommendation of the Department Head following the completion of a performance evaluation where the performance is rated as satisfactory or better. Step increases may also be suspended by action of, or pursuant to the direction of, the Board of Supervisors.

### **240 Payroll Periods**

As soon as can practically do so, Mono County will implement a bi-weekly payroll period. Each pay period will begin on Sunday and continue for fourteen (14) consecutive days, ending on Saturday.



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** December 20, 2016

**Departments: Clerk of the Board of Supervisors**

**TIME REQUIRED**

**SUBJECT** Amendment to Employment  
Agreement with Shannon Kendall

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

---

### AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution approving an amendment to the Employment Agreement of Shannon Kendall to appoint Ms.Kendall as Acting Clerk/Recorder/ Registrar/Clerk of the Board.

---

### RECOMMENDED ACTION:

Adopt Resolution #R16 - \_\_\_\_, approving amendment to Employment Agreement of Shannon Kendall.

---

### FISCAL IMPACT:

Approximate impact to the general fund for the next six months is \$7,800 for salary and \$3,250 for benefits for a combined total cost of \$11,050.

---

### CONTACT NAME:

**PHONE/EMAIL:** /

---

SUBMIT THE ORIGINAL DOCUMENT WITH  
ATTACHMENTS TO THE OFFICE OF  
THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY**  
**32 DAYS PRECEDING THE BOARD MEETING**

### SEND COPIES TO:

---

### MINUTE ORDER REQUESTED:

YES  NO

---

### ATTACHMENTS:

Click to download

[Staff Report](#)

[Resolution](#)

[Agreement](#)

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
12/14/2016 6:43 PM	County Administrative Office	Yes
12/15/2016 1:09 AM	County Counsel	Yes
12/15/2016 7:36 AM	Finance	Yes



# COUNTY OF MONO

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P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517  
(760) 932-5410 • FAX (760) 932-5411

Leslie L. Chapman  
County Administrative Officer

December 20, 2016

**To:** Honorable Board of Supervisors

**From:** Leslie Chapman

**Subject:**

Proposed resolution approving an amendment to the Employment Agreement of Shannon Kendall to appoint Ms. Kendall as Acting Clerk/Recorder/ Registrar/Clerk of the Board.

**Recommendation:**

Adopt resolution approving amendment to the Employment Agreement of Shannon Kendall.

**Discussion:**

With the resignation of Bob Musil on December 9, 2016, the office of the Clerk/Recorder/Registrar/Clerk of the Board needs interim leadership until the recruitment for a full-time replacement is completed and the position is permanently filled. Ms. Kendall is highly qualified to fill this gap as she has served the office for the past eight years. She is familiar with all functions of the office and has provided leadership and supervision for the last two years as Assistant Clerk/Recorder/Registrar/Clerk of the Board. Additionally, Ms. Kendall has provided consistency and stability for the office during past transitions.

**Fiscal Impact:**

Approximate impact to the general fund for the next six months is \$7,800 for salary and \$3,250 for benefits for a combined total cost of \$11,050.



RESOLUTION NO. R16-

A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS APPROVING AGREEMENT AND FIRST AMENDMENT TO EMPLOYMENT AGREEMENT OF SHANNON KENDALL APPOINTING MS. KENDALL AS ACTING CLERK/RECORDER/ REGISTRAR/CLERK OF THE BOARD

WHEREAS, the Mono County Board of Supervisors has the authority under Section 25300 of the Government Code to prescribe the compensation, appointment, and conditions of employment of County employees;

NOW, THEREFORE, BE IT RESOLVED by the Mono County Board of Supervisors, that the Agreement and First Amendment to Agreement re Employment of Shannon Kendall, a copy of which is attached hereto as an exhibit and incorporated herein by this reference as though fully set forth, is hereby approved and the compensation, appointment, and other terms and conditions of employment set forth in that Agreement are hereby prescribed and shall govern the employment of Shannon Kendall. The Chairman of the Board of Supervisors shall execute said Agreement on behalf of the County.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote:

AYES :
NOES :
ABSTAIN :
ABSENT :

ATTEST: Clerk of the Board

Fred Stump, Chair
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL

**AGREEMENT AND FIRST AMENDMENT  
TO AGREEMENT RE EMPLOYMENT OF SHANNON KENDALL**

This Agreement and First Amendment is entered into this \_\_\_\_ day of December, 2016, by and between Shannon Kendall and the County of Mono (sometimes referred to herein collectively as "the parties") for the purpose of amending that certain Agreement re Employment of Shannon Kendall.

**I. RECITALS**

- A. The County currently employs Shannon Kendall as its Assistant Clerk/Recorder/ Registrar/Clerk of the Board in accordance with an Agreement entered into on or about October 14, 2014.
- B. The Clerk/Recorder/ Registrar/Clerk of the Board, Bob Musil, resigned his office(s) effective December 9, 2016, at which point the position of Clerk/Recorder/ Registrar/Clerk of the Board became vacant and shall remain vacant until such a time Mono County Human Resources concludes the recruitment process and appoints a new, permanent Clerk/Recorder/ Registrar/Clerk of the Board. In the meantime, the Board wishes for Ms. Kendall to serve as Acting Clerk/Recorder/ Registrar/Clerk of the Board and to adjust her compensation while she serves in that capacity. Ms. Kendall is willing to serve in that capacity on the terms and conditions set forth in this First Amendment.
- C. The parties understand that Ms. Kendall may be considered as a candidate for permanent appointment as Clerk/Recorder/ Registrar/Clerk of the Board, and in the event that she is selected for and accepts such an appointment, the parties shall enter into a new employment agreement which shall supersede this Agreement in its entirety.

**II. AGREEMENT**

NOW, THEREFORE, the parties agree as follows:

- 1. Section 2 of the Agreement re Employment of Shannon Kendall is amended to read as follows:

"Effective December 10, 2016, while remaining at all times an Assistant Clerk/Recorder/ Registrar/Clerk of the Board, Ms. Kendall shall also serve temporarily as the Acting Clerk/Recorder/ Registrar/Clerk of the Board, serving at the will and pleasure of the County Administrative Officer (CAO) in accordance with the terms and conditions of this Agreement. During this period of time, the

CAO shall be deemed the "appointing authority" with respect to Ms. Kendall's employment and any provisions of the Agreement regarding Employment of Shannon Kendall delegating authority to the Clerk/Recorder/ Registrar/Clerk of the Board over Ms. Kendall's employment shall be deemed temporarily amended so that the delegated authority shall instead be retained and exercised by the CAO. As Acting Clerk/Recorder/ Registrar/Clerk of the Board, Ms. Kendall shall have, exercise, and discharge all of the powers and duties of the Clerk/Recorder/ Registrar/Clerk of the Board, together with any additional powers and duties that may be granted or assigned to her by the Board of Supervisors or the CAO. Ms. Kendall's service as Acting Clerk/Recorder/ Registrar/Clerk of the Board shall continue until such a time as the County Administrative Officer appoints a permanent Clerk/Recorder/ Registrar/Clerk of the Board (which may potentially be Ms. Kendall) or until the CAO otherwise notifies Ms. Kendall that it no longer desires her services as Acting Clerk/Recorder/ Registrar/Clerk of the Board or until Ms. Kendall notifies the CAO that she no longer desires to serve as Acting Clerk/Recorder/ Registrar/Clerk of the Board, whichever comes first; at that time, if Ms. Kendall for any reason ceases serving as Acting Clerk/Recorder/ Registrar/Clerk of the Board and is not appointed as the Clerk/Recorder/ Registrar/Clerk of the Board, then she shall resume her former employment status as solely an Assistant Clerk/Recorder/ Registrar/Clerk of the Board and serving at the will and pleasure of the Clerk/Recorder/ Registrar/Clerk of the Board, who shall be the 'appointing authority' at that point for all purposes with respect to Ms. Kendall's employment."

2. The first sentence of Section 3 of the Agreement re Employment of Shannon Kendall is amended to read as follows:

"Commencing December 10, 2016, and continuing for the period of time that she serves as Acting Clerk/Recorder/ Registrar/Clerk of the Board, Ms. Kendall's salary shall be \$8,100 per month. Whenever Ms. Kendall's services as Acting Clerk/Recorder/ Registrar/Clerk of the Board cease (see Section 2 above) and she resumes her former employment as solely Assistant Clerk/Recorder/ Registrar/Clerk of the Board, her salary shall revert to \$6,800 per month."

3. All other provisions of the Agreement re Employment of Shannon Kendall not hereby amended shall remain in full force and effect.

### **III. EXECUTION:**

The parties hereby execute this Agreement as of the date first written above.



SHANNON KENDALL

THE COUNTY OF MONO

---

---

By: Fred Stump, Chair  
Board of Supervisors

APPROVED AS TO FORM:

---

County Counsel



**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    December 20, 2016

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT**            Re-Appointment to Mono County  
                                 Child Care Council

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Re-appointment of Dyanna Hernandez and Sandra Villalpando to the Mono County Child Care Council for terms of two years beginning 1/1/2017 and expiring 12/31/18. This item is sponsored by Supervisor Corless.

**RECOMMENDED ACTION:**

Reappoint Dyanna Hernandez and Sandra Villalpando to the Mono County Child Care Council, with terms expiring 12/31/18.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Helen Nunn

**PHONE/EMAIL:** x5534 / hnunn@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH  
ATTACHMENTS TO THE OFFICE OF  
THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY**  
**32 DAYS PRECEDING THE BOARD MEETING**

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Reappointment of D Hernandez</a>
<a href="#">Reappointment of S Villalpando</a>

**History**

Time

Who

Approval

12/14/2016 11:12 AM

County Administrative Office

Yes

12/14/2016 11:54 AM

County Counsel

Yes

12/14/2016 2:13 PM

Finance

Yes

**Mono County Child Care Council**



www.monocccc.org

**P. O. Box 8571  
Mammoth Lakes, CA 93546**

December 9, 2016

To: Mono County Board of Supervisors

From: Queenie Barnard, Local Child Care Council Coordinator

Re: Re-appointment of Member to the Mono County Child Care Council – Dyanna Hernandez

Dear Board of Supervisors;

The Mono County Child Care Planning Council (MCCCC) is requesting reappointment by the Board of Supervisors of Dyanna Hernandez to serve as a member of the Mono County Child Care Council. She will be filling the membership position of Consumer of Child Care. Originally appointed by the Board of Supervisors, her term expires 12/31/2016. The re-appointment will be for a two-year term beginning 1/1/2017 and ending 12/31/2018.

Thank you for considering this request.

Queenie Barnard, LPC Coordinator  
[qbarnard@imaca.net](mailto:qbarnard@imaca.net)  
(760) 934-3343

**Mono County Child Care Council**



www.monocccc.org

**P. O. Box 8571  
Mammoth Lakes, CA 93546**

December 9, 2016

To: Mono County Board of Supervisors

From: Queenie Barnard, Local Child Care Council Coordinator

Re: Re-appointment of Member to the Mono County Child Care Council – Sandra Villalpando

Dear Board of Supervisors;

The Mono County Child Care Planning Council (MCCCC) is requesting reappointment by the Board of Supervisors of Sandra Villalpando to serve as a member of the Mono County Child Care Council. She will be filling the membership position of Discretionary Appointee. Originally appointed by the Board of Supervisors, her term expires 12/31/2016. The re-appointment will be for a two-year term beginning 1/1/2017 and ending 12/31/2018.

Thank you for considering this request.

Queenie Barnard, LPC Coordinator  
[qbarnard@imaca.net](mailto:qbarnard@imaca.net)  
(760) 934-3343



**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    December 20, 2016

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT**                      Correspondence from Board of State  
and Community Corrections

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Correspondence dated November 21, 2016 to the Sheriff-Coroner regarding the 2014-2016 Biennial Inspection of the Mono County Jail. The Board of Supervisors was cc'd on this correspondence.

\*\*\*\*\*

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:** Helen Nunn

**PHONE/EMAIL:** x5534 / hnunn@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH  
ATTACHMENTS TO THE OFFICE OF  
THE COUNTY ADMINISTRATOR  
***PRIOR TO 5:00 P.M. ON THE FRIDAY  
32 DAYS PRECEDING THE BOARD MEETING***

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

<p>Click to download</p> <p> <a href="#">Correspondence from BSCC</a></p>
---

**History**

Time	Who	Approval
12/14/2016 9:41 AM	County Administrative Office	Yes

12/14/2016 11:43 AM

County Counsel

Yes

12/14/2016 9:36 AM

Finance

Yes



LINDA M. PENNER  
*Chair*

KATHLEEN T. HOWARD  
*Executive Director*

STATE OF CALIFORNIA

BOARD OF STATE AND COMMUNITY CORRECTIONS

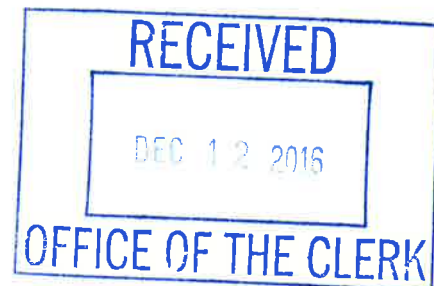
2590 VENTURE OAKS WAY, SUITE 200 • SACRAMENTO CA 95833 • 916 445 5073 • BSCC CA GOV



EDMUND G. BROWN, JR.  
*Governor*

November 21, 2016

Ingrid Braun - Sheriff-Coroner  
Mono County Sheriff's Office  
P. O. Box 616  
Bridgeport, CA 93517



Dear Sheriff Braun:

**2014 – 2016 BIENNIAL INSPECTION PENAL CODE SECTION 6031**

On May 26, 2016 staff of the Board of State and Community Corrections (BSCC) conducted the biennial inspection of the Mono County Jail to Penal Code Section 6031 for compliance with the Minimum Standards for Local Detention Facilities as outlined in Titles 15 and 24, California Code of Regulations. In addition, BSCC staff conducted compliance monitoring pursuant to Welfare and Institutions Code (WIC) Section 209(f) for the federal Juvenile Justice and Delinquency Prevention Act (JJDP) for the separation requirements of juveniles from incarcerated adults.

The inspection began with a walk-through of the physical plant, a review of applicable written policies and procedures governing the operation of the facility, and a review of documentation to verify that your practices follow your written procedures and regulations.

Sergeant Ladd was present during the inspection and assisted by answering questions and clarifying procedural issues. His involvement, along with that of all staff interviewed during the inspection process was extremely valuable. The professionalism and courtesy extended during the visit was appreciated.

The complete BSCC inspection report is enclosed and consists of:

- This transmittal letter;
- the Procedures Checklist outlining applicable Title 15 sections;
- the Physical Plant Evaluation outlining Title 24 requirements for design;
- the Living Area Space Evaluation summarizing the physical plant configuration.

We encourage the practice of maintaining a permanent file for historical copies of all inspections. This file should be the first point of reference when preparing for all future inspections.



## Local Inspections

In addition to a biennial inspection by the BSCC, inspections are also required annually by the County Health Officer and biennially by the State Fire Marshal or an authorized representative (Health and Safety Code Sections 101045 and 13146.1). The local health authority is required to conduct inspections of all detention facilities and includes an evaluation of medical and mental health services, nutritional requirements and environmental health standards. Please consider our report in conjunction with the reports from the County Health Officer and the respective fire authorities for a comprehensive perspective of your facilities.

### Fire Inspection:

The fire and life safety inspection was completed on February 6, 2014. A fire clearance was granted.

### Health Inspections:

The table below lists the dates of the most recent health inspections.

Inspection	Date	Non-Compliance Issues
Health-Environmental	August 11, 2015	None
Health-Medical/Mental Health	August 11, 2015	None
Health-Nutrition	September 9, 2015	None

## BSCC Inspection

### Physical Plant:

### Mono County Jail

Completed in 1989, the Mono County Jail was inspected and evaluated using the 1988 and 1994 Title 24, CCR, Minimum Standards for Local Detention Facilities. With a rated capacity of 48, there were 27 male and 2 female inmates in custody the day of the inspection. The jail was clean and staff verified that the maintenance issues are handled promptly. No areas of deferred maintenance were obviously apparent. Minors are not detained or housed in the facility. We encourage efforts to create additional program space to meet future needs of the agency. No issues of non-compliance with Title 24 standards were identified.

### Mono County Court House

At the time of our inspection, we were advised that the Sheriff's Department is no longer using the Courthouse at Mammoth Lakes. We have updated our data base to show the facility is closed. Please advise when you begin using the facility.

**Title 15 Inspection:**

During the inspection, BSCC staff compared applicable policy and procedures to actual practices. The process included examination of supporting documentation including safety checks, monthly fire/life safety inspections, incident reports, classification and medical screening, exercise records, grievance and discipline processes. We interviewed line staff and found them to be knowledgeable on Title 15 and related issues. Please review the attached Procedures Checklist for further information. We found no areas of non-compliance.

---

This concludes our inspection report for the 2014-2016 inspection cycle. We would like to thank all staff involved in the inspection process for the hospitality and courtesy extended during the inspection. If you should have any questions, please contact me at (916) 698-3108 or email at [rebecca.craig@bscc.ca.gov](mailto:rebecca.craig@bscc.ca.gov).

Sincerely,



REBECCA A. CRAIG  
Field Representative  
Facilities Standards and Operations Division

Enclosures

cc: County Administrative Officer, County of Mono\*  
Chair, Board of Supervisors, County of Mono\*  
Presiding Judge, Superior Court, County of Mono\*  
Grand Jury Foreperson, Superior Court, County of Mono\*  
Sergeant Ladd, Mono County Sheriff's Department



**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 20, 2016

**Departments: Economic Development**

**TIME REQUIRED** 20 minutes (15 minute presentation; 5 minute discussion)      **PERSONS APPEARING BEFORE THE BOARD** Gaye Mueller, Chair of the Mono County Fisheries Commission

**SUBJECT** Fisheries Commission Update

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation by Gaye Mueller regarding the Mono County Fisheries Commission successes over the past year as well as an update on the Kids Fishing Festival.

**RECOMMENDED ACTION:**

None (informational only). Provide any desired direction to staff.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Gaye Mueller

**PHONE/EMAIL:** 760-937-2942 / easternsierraartist@gmail.com

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY  
32 DAYS PRECEDING THE BOARD MEETING**

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

<a href="#">Click to download</a>
No Attachments Available

**History**

Time	Who	Approval
11/8/2016 5:21 AM	County Administrative Office	Yes

11/6/2016 3:48 PM

County Counsel

Yes

11/8/2016 11:06 AM

Finance

Yes



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** December 20, 2016

**Departments: Community Development**

**TIME REQUIRED** PUBLIC HEARING: 10:00 A.M.

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

Wendy Sugimura; Jim Shoffner

**SUBJECT** Building Code Cycle Adoption

---

### AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

California Building Standards Code Cycle adoption.

---

### RECOMMENDED ACTION:

1. Conduct a public hearing on the adoption of the 2016 California Building Codes; 2. Introduce, read title, and waive further reading of a proposed ordinance to adopt a revised Chapter 15.04 of Mono County Code Title 15, and amend the previously adopted California Building Standards Code; and 3. Direct Clerk to schedule ordinance for adoption at the Board's next regular meeting; direct filing of modification, if approved, with the California Building Standards Commission; provide further direction to staff.

---

### FISCAL IMPACT:

No impact to general fund.

---

**CONTACT NAME:** Wendy Sugimura

**PHONE/EMAIL:** 924.1814 / wsugimura@mono.ca.gov

---

SUBMIT THE ORIGINAL DOCUMENT WITH  
ATTACHMENTS TO THE OFFICE OF  
THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY**  
**32 DAYS PRECEDING THE BOARD MEETING**

**SEND COPIES TO:**

---

### MINUTE ORDER REQUESTED:

YES  NO

---

### ATTACHMENTS:

Click to download
<a href="#">staff report</a>
<a href="#">Ordinance</a>
<a href="#">Code</a>

---

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
12/14/2016 10:21 AM	County Administrative Office	Yes
12/13/2016 12:11 PM	County Counsel	Yes
12/14/2016 10:00 AM	Finance	Yes

# Mono County Community Development Department

---

P.O. Box 347  
Mammoth Lakes, CA 93546  
(760) 924-1800, fax 924-1801  
commdev@mono.ca.gov

## BUILDING DIVISION

P.O. Box 8  
Bridgeport, CA 93517  
(760) 932-5420, fax 932-5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

**Date:** December 13, 2016

**To:** **Honorable Chair and Members of the Board of Supervisors**

**From:** Jim Shoffner, building inspector  
Wendy Sugimura, CDD analyst

**Re:** **Public Hearing on the Adoption of the 2016 California Building Code**

### RECOMMENDATION

1. Conduct a public hearing on the adoption of the 2016 California Building Codes;
2. Introduce, read title, and waive further reading of a proposed ordinance to adopt a revised Chapter 15.04 of Mono County Code Title 15, and amend the previously adopted California Building Standards Code; and
3. Direct Clerk to schedule ordinance for adoption at the Board's next regular meeting; direct filing of modification, if approved, with the California Building Standards Commission; provide further direction to staff.

### FISCAL IMPACT

No fiscal impacts are anticipated. The ordinance updates existing local requirements to apply in conjunction with the 2016 California Building Standards Code that will take effect on January 1, 2017.

### BACKGROUND

The California Building Standards Commission is the state body responsible for reviewing, developing, approving, and administering the California Building Standards Code. Every three years, the code is published in its entirety with any changes. Local agencies are required to adopt these codes by reference pursuant to Health and Safety Code Section 17922 and Government Code Sections 50022.2 et seq. The next triennial code cycle for the 2016 California Building Standards Code becomes effective January 1, 2017, and is legally enforceable in Mono County regardless of if or when the County adopts them.

The California Building Standards Code (California Code of Regulations, Title 24) is a compilation of three types of building criteria from three different origins:

- Building standards that have been adopted by state agencies without change from building standards contained in national model codes;
- Building standards that have been adopted and adapted from the national model code standards to meet California conditions; and
- Building standards authorized by the California legislature that constitute extensive additions not covered by the model codes that have been adopted to address particular California concerns.

Notwithstanding, the national model code standards adopted into Title 24 apply to all occupancies in California except for modifications adopted by state agencies and local governing bodies.

State law authorizes cities and counties to make modifications to the building standards contained in the California Code that are deemed necessary due to local topographic, climatic, or geographic conditions. These standards, once adopted by the local jurisdiction, may take effect no sooner than the effective date of the California Code (in this case January 1, 2017) and must be filed with the Building Standards Commission.

## **DISCUSSION**

The attached ordinance adopts the 2016 California Building Code by reference, and carries forward revisions specific to Mono County that were included in the previous code version. No other changes have been made.

Changes resulting from the 2016 California Building Code cycle are minor compared to recent code changes such as CALGreen and residential fire sprinklers. The following is a very brief summary of the types of changes:

- **Provide transparency of authority and consistency between model and California amended codes**, including requirements for a written statement if the building official does not approve an alternative material, design or method of construction; use of the ultimate design wind speed; and use of EPA Phase 2 qualified wood-burning appliances (which Mono County already requires via the General Plan); and provides for multiple nail sizes for roof fastening and clarifies rafter connections.
- **Regulations to address fire, life/safety, and recycling concerns**, such as increased application of arc-fault circuit-interrupter protection to additional locations (kitchen and laundry areas) and devices (in addition to outlets), and increased recycling requirements (to 65%) for nonhazardous construction demolition waste.
- **Changes due to technological advances**, such as electric vehicle chargers in multi-family residential units, and use of vapor retarders to prevent moisture being trapped within the walls of a structure or being allowed to travel through an assembly where it can condense within a wall.

For more information on technical code questions, please call Jim Shoffner at 760.924.1822. For other questions, Wendy Sugimura is also available at 760.924.1814.

## **ATTACHMENT**

Draft Ordinance 16-\_\_\_\_





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6                   **ORDINANCE NO. ORD 16-\_\_\_**  
7                   **AN ORDINANCE OF THE MONO COUNTY BOARD OF**  
8                   **SUPERVISORS AMENDING CHAPTER 15.04 OF**  
9                   **THE MONO COUNTY CODE PERTAINING TO**  
10                   **BUILDING REGULATIONS AND UNIFORM CODES**

11           **WHEREAS**, Title 15 of the Mono County Code contains the Mono County Building  
12 and Construction ordinances and Chapter 15.04 contains the Mono County Building  
13 Regulations, International Codes, and Uniform Codes; and

14           **WHEREAS**, the California Buildings Standards Code (“State Code”) sets forth the  
15 uniform and international building standards by way of adoption of specific uniform and  
16 international building codes and standards by the California Building Standards Commission  
17 that is binding on the state, other public agencies, and private parties; and

18           **WHEREAS**, the California Building Standards Commission has adopted the 2016  
19 California Building Code regulations based on the International Building Code, and has  
20 adopted revised codes including the 2016 California Electrical Code, the 2016 California  
21 Plumbing Code, the 2016 California Mechanical Code, the 2016 California Energy Code, the  
22 2016 California Historical Building Code, the 2016 California Fire Code, the 2016 California  
23 Residential Code, the 2016 California Green Building Standards Code, the 2016 California  
24 Administrative Code, the 2016 California Referenced Standards Code, and the 2016  
25 California Existing Building Code; pursuant to state law each of these adopted codes  
26 becomes effective as of January 1, 2017; and further, local agencies are required to adopt such  
27 codes by reference pursuant to Health and Safety Code Section 17922 and Government Code  
28 Sections 50022.2 et seq.; and

**WHEREAS**, local agencies, including the County of Mono, may modify the provisions  
of the adopted State Building Codes when the local agency determines, and expressly finds,  
that such changes or modifications are reasonably necessary because of local climatic,  
geological or topographical conditions as provided in Health and Safety Code Sections  
17958.5, 17958.7, and 18941.5; and

**WHEREAS**, the Board of Supervisors has previously made findings, and hereby  
expressly ratifies said findings, that all of Mono County is a snow area requiring specific  
ground snow load requirements, and that due to the climatic, geological, and topographic  
conditions found in Mono County that application of high-rise buildings requirements set  
forth in Section 403 of Chapter 4 of the 2013 California Building Code shall apply to any  
development of structures designed to have occupied floors (such as hotels and  
condominiums) located more than 50 feet above the lowest levels accessible to fire  
department vehicles; and

1           **WHEREAS**, the Board of Supervisors finds that local climatic, geological or  
2 topographical conditions, including snow loads, high winds, and freezing temperatures,  
3 requires the addition of the certain specified appendices of the 2016 California Building Code  
4 including Appendix C (Agricultural Buildings).

5           **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**  
6 **MONO ORDAINS** as follows:

7           **SECTION ONE:** That title 15 of the Mono County Code is amended by adding an  
8 entirely revised Chapter 15.04 entitled Building Regulations and Uniform Codes that will  
9 read as set forth in Attachment "A" which is attached hereto and incorporated herein by this  
10 reference.

11           **SECTION TWO:** The previous ordinances set forth in Chapter 15.04 of the Mono  
12 County Code are hereby repealed.

13           **SECTION THREE:** That if any section, subsection, sentence, clause or phrase of this  
14 ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the  
15 validity of the remaining portions of this ordinance. The Mono County Board of Supervisors  
16 hereby declares that it would have passed this ordinance, and each section, subsection, clause  
17 or phrase thereof, irrespective of the fact that any one or more sections, subsections,  
18 sentences, clauses, and phrases be declared unconstitutional.

19           **SECTION FOUR:** This ordinance shall become effective 30 days from the date of its  
20 adoption and final passage following a public hearing to be held pursuant to Government  
21 Code Sections 50022.2 et seq. The Clerk of the Board of Supervisors shall post this ordinance  
22 and also publish the ordinance or a summary thereof in the manner prescribed by  
23 Government Code section 25124 no later than 15 days after the date of this ordinance's  
24 adoption and final passage. If the Clerk fails to so publish this ordinance or a summary  
25 thereof within said 15 day-period, then the ordinance shall not take effect until 30 days after  
26 the date of publication.

27           **PASSED, APPROVED and ADOPTED** this \_\_\_\_ day of December, 2016 by the  
28 following vote, to wit:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
FRED STUMP, Chair  
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
County Counsel

## **Title 15 BUILDINGS AND CONSTRUCTION**

### **Chapter 15.04 BUILDING REGULATIONS.**

15.04.010 Purpose of chapter.

15.04.020 Express Findings.

15.04.030 California, International, and Uniform Codes Adopted.

15.04.040 Definitions.

15.04.050 Filing of Adopted Title 15 Codes.

15.04.060 Building Permit Expiration

15.04.070 Building Permit Fees

15.04.080 Engineering Plancheck

15.04.090 Planning, Health, Public Works and Other Required Approvals Prerequisite to Building Permit Issuance.

15.04.100 Building Permit Violation

15.04.110 Board of Appeals.

15.04.120 Utility Connection.

15.04.130 Early Connection of Utility Service.

15.04.140 Snow Loads.

15.04.150 Defensible Space and Fire Hazards Reduction.

15.04.160 Roof Projections.

15.04.170 Agricultural Storage Structures.

15.04.180 Manufactured Truss Submittal Requirements.

15.04.190 Environmental Air Ducts and Exhaust Ventilation.

15.04.200 High-rise Structure Requirements.

15.04.210 Penalties for Title 15 Violations.

#### **15.04.010 Purpose of Chapter.**

This chapter is enacted for the purpose of adopting rules and regulations for the protection of the public health, safety and general welfare of the occupants and the public; governing the creation, construction, enlargement, conversion, alteration, repair, moving, removal, demolition, occupancy, use, height, court area, sanitation, ventilation, and maintenance of any building used for human habitation; provided, however, that nothing in the codes adopted in this chapter shall be construed to prevent any person from performing his own building, mechanical, plumbing, or electrical work when performed with issued County of Mono permits in compliance with this chapter.

#### **15.04.020 Express Findings.**

The Mono County governing body makes express findings that the listed local modifications, additions, and amendments to the building standards contained in California Building Standards Codes-Title 24 are reasonably necessary because of local climatic, geological or topographical conditions, including snow loads, freezing temperatures, high winds, and remote mountain terrain. These local government amendments also provide a more restrictive building standard than that contained in California Building Standards Codes-Title 24 by including listed Appendices and Codes detailing requirements specific to the local climatic, geological or topographical conditions of Mono County. To facilitate ease of use by industry and building officials, certain of the amendments, additions and modifications to the regulations adopted by the California Building Standards Commission, Department of Housing and Community Development of the state of California and other agencies of the state of California, are made by reference to the appropriate California code.

#### **15.04.030 California Building Standards Codes-Title 24, Uniform, and International Codes adopted.**

The California Building Standards Commission has adopted the following codes, which are applicable within the County of Mono as a matter of state law, subject to the modifications and amendments contained in this chapter:

- A. **2016 California Administrative Code** (California Code of Regulations Title 24, Part 1) specific to administrative regulations of/for California Regulatory Agencies.
- B. **2016 California Building Code**, (California Code of Regulations Title 24, Part 2) including the following Appendices: Appendix C; (*Agricultural Buildings*).
- C. **2016 California Electrical Code**, (California Code of Regulations Title 24, Part 3).
- D. **2016 California Mechanical Code**, (California Code of Regulations Title 24, Part 4).
- E. **2016 California Plumbing Code**, (California Code of Regulations Title 24, Part 5)
- F. **2016 California Energy Code**, (California Code of Regulations Title 24, Part 6).
- G. **2016 California Historical Building Code** (California Code of Regulations Title 24, Part 8).
- H. **2016 California Fire Code** (California Code of Regulations Title 24, Part 9).
- I. **2016 California Existing Building Code** (California Code of Regulations Title 24, Part 10).
- J. **2016 California Referenced Standards Code** (California Code of Regulations Title 24, Part 12).
- K. **2016 California Residential Code** (California Code of Regulations Title 24, part 2.5).
  
- L. **2016 California Green Building Standards Code** (California Code of Regulations Title 24, Part 11). .

#### **15.04.040 Definitions.**

Whenever any of the following names or terms are used in this chapter or in any of the codes set forth above, unless the context directs otherwise, such names or terms so used shall have the meaning ascribed thereto by this section:

- A. **"Building Division,"** "electrical department," "plumbing department," "office of administrative authority," or "housing department" means the Building Division of Mono County.
- B. **"Building Official,"** "authority having jurisdiction [AHJ]" and similar references to a chief administrative position, mean the Chief Building Inspector of the county; provided, however, that:
  - 1. Where such terms are used in connection with those duties imposed by a statute or ordinance upon the county health officer, said terms shall include the county health officer.
- C. **"City,"** means the County of Mono when referring to a political entity, or an unincorporated area of said county when referring to area, **"City Clerk"** - means the county clerk and ex officio clerk of the board of supervisors, and **"City Council" or "Mayor,"** means the board of supervisors of the County of Mono.
- D. **"Dwelling unit,"** includes but is not limited to, each single-family dwelling and each habitation unit of an apartment, duplex, or multiple-dwelling structure designated as a separate place for habitation of family; "dwelling unit" also includes each guest room.
- E. **"Fire Chief,"** means the chief of the fire protection district wherein a particular building is or is to be located or, for any area not within a fire protection district, the same shall mean the county fire marshal designated by the board of supervisors.
- F. **"Person,"** includes, but is not limited to, every person, firm, entity, or corporation engaging in a construction activity or through the services of any employee, agent, or independent contractor.
- G. **"Trailer space,"** means each space, area, or building in a trailer park or mobilehome park or other place, designed or intended as a place to accommodate any mobilehome, trailer, van, bus, or other vehicle or mobile structure, at a time when the same is being used as living or sleeping quarters for human beings.

#### **15.04.050 Filing of Adopted Title 15 Codes.**

The Mono County Building Division shall maintain on file copies of the codes referred to in Section 15.04.030 and the codes shall be open to public inspection.

#### **15.04.060 Building Permit Expiration**

All building permits and plan checks will expire under the following conditions:

- A.** All applications and plans submitted for plan review shall become void after a period of 12 months (1 year) from the time of application. At this time any further application for the project will require a new plancheck fee and new application submitted.
- B.** All Building Division permits will become void thirty-six months (3 years) after issuance, unless:
  - 1.** A written request for a permit extension is submitted.
  - 2.** The construction is progressing at a proponent's best rate, and;
  - 3.** The construction activity is posing no life-safety threat to the public or to any person.
- C.** If the building or work authorized by such permit is not commenced within one year from the date of permit issuance, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced, the permit shall expire.
  - 1.** Suspension and/or abandonment shall be determined by a lack of progress inspections for a period of more than one year since the last previously documented inspection. If a permit has expired, no work can recommence until a new application is applied for, plancheck is completed, all permit fees are paid, and a new permit is issued.
- D.** To receive an extension of time on an expired building permit the applicant shall submit a written request detailing the extenuating circumstances that prevented the completion of the project in the allotted time limits of the issued permit.
  - 1.** Upon review and approval by the building official, an extension may be granted for an additional year. Should this additional 12 months (1 year) time elapse, a new building permit shall be obtained prior to the continuation of work on the project.
  - 2.** The new permit fee will be calculated on the hourly amount of plancheck required to reissue the permit, the balance of the work to be completed, and number of inspections estimated to final the issued permit.

#### **15.04.070 Building Permit fees.**

All permit fees to include Building, Electrical, Plumbing, and Mechanical permits shall be paid to the Building Division in an amount set forth and adopted by resolution of the Board of Supervisors.

#### **15.04.080 Engineering Plancheck.**

Permit applications containing engineered design submitted to the Mono County Building Division for plancheck review exceeding Conventional Light-Frame Construction code provisions in order to address Seismic Design, Wind Load, Ground Snow Load, or because of unconventional or irregular design, may be subject to engineering plancheck review by in-house or contract engineering consultants as determined on a case by case basis by the Building Official. All commercial structures containing engineering design requirements shall be subject to engineering plancheck review. The expense for such plancheck and design review by qualified engineers shall be paid by the project applicant.

#### **15.04.090 Planning, Health, Public Works and Other Required Approvals Prerequisite to Building Permits Issuance.**

No building permits shall be issued for any building for which an individual sewage disposal system, a connection to a public sewage collection system, an individual water supply system and/or a connection to a public water supply system must be installed, altered or added to until the Building Official is satisfied that all required County Department application reviews for permits have been completed issued therefor.

#### **15.04.100 Building Permit violations**

**Violations.** Where work for which a permit is required by this code has been started prior to obtaining the required permits, the permit fees shall be assessed at a rate to recoup the time and materials spent by the Building Division staff to

mitigate the violation. The payment of such assessed fees shall not relieve any persons from fully complying with the requirements of this code in execution of the work nor from any other penalties, prescribed herein.

#### **15.04.110 Board of Appeals.**

The construction Board of Appeals shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of Mono County Title 15 and provide reasonable determinations of decisions rendered by the officials charged with the responsibility of enforcing the building codes, as amended from time to time including, but not limited to the following:

- A. Qualifications.** The Construction Board of Appeals ("Board of Appeals") shall consist of at least five voting members, all of whom should be residents of Mono County. Any specific appeal shall be heard by at least a majority of the voting members.
  - 1. The members shall consist of persons with experience in the field of construction and deemed qualified to understand issues relating to this field.
  - 2. No County officer or employee shall serve as a voting member of the construction Board of Appeals.
  - 3. The members shall serve four years and may be reappointed after that for successive four-year terms. In order to ensure continuity on the Board, terms shall be staggered, with two members of the initial Board appointed for two-year terms and three members of the initial Board appointed for four-year terms. Members of the initial Board shall determine, through the drawing of lots, which two members shall serve two-year terms and which three members shall serve four-year terms.
- B. Limitations on Authority.** An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, or the provisions of this Code do not fully apply, or an equally good or better form of construction has been proposed and denied by the Building Official.
  - 1. The Board of Appeals shall have no authority relative to interpretation of the administrative provisions of these codes, nor shall the Board be empowered to waive requirements of these codes.
  - 2. Any cost for tests or research required by the Board to substantiate the claim of the appellant shall be the sole responsibility of the appellant.
- C. Building Official Ex-Officio member.** The Building Official for Mono County shall be an ex-officio member of the Board of Appeals, and shall act as secretary of said Board of Appeals, but shall have no vote.
- D. Rules, Decisions, Legislative Recommendations.** The Board of Appeals shall adopt reasonable rules and regulations for conducting its investigations and render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.
- E. Appeals to Board.** Any person aggrieved by an order, decision, or determination of the official charged with the responsibility of enforcing those respective codes may, within twenty working days of the date of the order, decision, or determination was made, appeal to the Board of Appeals for a hearing.
  - 1. The appeal must be in writing and accompanied by a filing fee which shall be established by resolution of the County Board of Supervisors.
  - 2. The appeal shall be filed with the County Building Division and with the Building Official. A form will be provided at the Community Development Department.
  - 3. All supporting documents shall be submitted with the form at the time of filing the appeal.
- F. Hearing.** The Building Official, or his or her designee, shall schedule a hearing within twenty working days of receiving the request for hearing and give notice of the time, place, and subject matter of the hearing to the person filing the appeal, and to each member of the Board of Appeals.
  - 1. The hearing shall be informal.
  - 2. The Board of Appeals shall announce its decision within five working days after the hearing has concluded.
- G. Finality of Decision.** The decision of the Construction Board of Appeals shall be the final administrative decision, and no provision of any ordinance of the County shall be interpreted as permitting a further administrative appeal to the County Board of Supervisors or any other county board or commission.

#### **15.04.120 Utility connection.**

It is unlawful for any person, including utility companies, to connect electric power lines or liquefied petroleum gas permanently to any building or structure for which a permit is required by this chapter until such structure complies with all applicable ordinances and codes and has been approved by County Building Division final inspection as required under the California Building Code. This section shall not prohibit the erection and use of temporary power poles when approved by the Building Official; provided that such temporary electrical connections and facilities are removed prior to connection of permanent lines.

#### **15.04.130 Early Connection of Utility Service.**

Where no building is located on a lot or parcel, no permit shall be issued for a septic system or an accessory building prior to issuance of a permit for a main building to be located on the same lot or parcel without the consent of the Planning Division. All temporary electric power poles shall be installed per requirements found in Article 590 of the 2016 California Electrical Code. The purpose of this provision is to furnish the Planning Division with sufficient information concerning the uses, size, area of coverage, or location of any main building that will or may be constructed thereon, in relation to such septic system, accessory building, or temporary power pole.

- A. EXCEPTIONS:** Permits for temporary power poles to be used during time of construction may be issued prior to the main use being established, provided the following conditions have been met:
1. All required plans have been submitted.
  2. All plan check fees, building permit fees, and any special fees have been paid in full.
- B.** As used in this section, certain terms are defined as follows:
1. **“Accessory building”** means and includes any building or structure the use of which is customarily subordinate or incidental to that of a main building or a main use of a certain kind of lot or parcel, for example, a garage or storage building.
  2. **“Main building”** means and includes a building or structure which is customarily used to carry out the main use of a lot or parcel of a certain kind.
  3. **“Main use”** means and includes the principal or dominant use for which a lot or parcel of a certain kind is customarily used.
  4. **“Temporary power pole”** means and includes any pole placed for the conveyance of electrical energy for a limited period of time and is used in preparing for the main use of a certain kind of lot or parcel.
- C.** Permanent electrical service may be connected to a building or structure prior to Building Division final inspection and approval provided:
1. The applicant completes a temporary power agreement, on a form supplied by the Mono County Building Division stating that project is ninety percent complete and meets all requirements of the Building Division, and executes a disconnect order which authorizes the county to disconnect, under the applicants' liability and expense, in the event of unauthorized usage and/or failure to meet the executed schedule.
  2. The applicant completes a temporary power agreement and submits a cash bond in the amount of one thousand dollars, and executes a disconnect order which authorizes the county to disconnect. Under the applicants' liability and expense the power will be disconnected and the bond forfeited in the event of unauthorized usage and/or failure to meet schedule.

#### **15.04.140 Snow Loads.**

All of Mono County shall be declared a snow area and this declaration pertains to all structures as defined in the 2016 California Building Code section 202. Mobile homes, modular homes, factory-built houses, and commercial coaches shall be subject to the specific design provisions of California Title 25 and under the jurisdiction of the California State agency of Housing and Community Development (HCD). The snow loads, and the conditions of their application, shall be revised from time to time based on minimum California Building Code requirements, site specific case studies, and updated information as determined by the Mono County Building Official.

- A. “Structure”** (as defined by the 2016 California Building Code section 202): That which is built or constructed.

## MONO COUNTY SNOW LOAD DESIGN CRITERIA

2016 California Building Code

**SNOW LOADS:** Use Terrain Category D/Flat unobstructed areas ASCE 7-10 Table 7-2  $C_e = 0.9$  for high desert area roofs noted with \*.

Use Terrain Category B/Partially Exposed ASCE 7-10 Table 7-2  $C_e = 1.0$  for all other roofs.

Use ASCE 7-10 Table 7-3 Thermal Factor  $C_t = 1.1$  for all roofs.

Use ASCE 7-10 Table 1.5-2 Importance Factor  $I_s = 1.0$  for all roofs.

Use Fig. 7-2b graph in ASCE 7-10 and "All Other Surfaces" curve for determination of  $C_s$  if roof meets criteria for slope reduction.

**CLIMATE ZONE:** 16

**FROST DEPTH:** 18" below exterior finished grade minimum

### GROUND SNOW LOAD $p_g$ PSF - ROOF SNOW LOAD $p_f$ CONVERSION TABLE

HIGH DESERT LOCATIONS	ELEVATION	GROUND SNOW LOAD $p_g$ (psf)	FLAT ROOF SNOW LOAD $p_f = (.7)(0.9^* \text{ or } 1.0=C_e)(1.1=C_t)(1.0=I_s)p_g$ = (psf)
Chalfant Valley*	4,200 ft	55 psf	<b>38 psf</b>
Hammil Valley*	4,500 ft	55 psf	<b>38 psf</b>
Paradise*	5,000 ft	55 psf	<b>38 psf</b>
Topaz*	5,000 ft	55 psf	<b>38 psf</b>
Coleville*	5,100 ft	55 psf	<b>38 psf</b>
Benton*	5,400 ft	55 psf	<b>38 psf</b>
Walker*	5,400 ft	55 psf	<b>38 psf</b>
Bridgeport	6,470 ft	65 psf	<b>50 psf</b>
Mono City	6,899 ft	75 psf	<b>58 psf</b>
Long Valley (east of US 395)	7,000 ft	80 psf	<b>62 psf</b>
Tom's Place	7,000 ft	80 psf	<b>62 psf</b>

MOUNTAIN AREA LOCATIONS	ELEVATION	GROUND SNOW LOAD $p_g$ (psf)	FLAT ROOF SNOW LOAD $p_f = (.7)(1.0=C_e)(1.1=C_t)(1.0=I_s)p_g$ = (psf)
Swall Meadows	6,400	100 psf	<b>77 psf</b>
Sonora Junction	6,500	155 psf	<b>119 psf</b>
Rancheria Estates	6,600	105 psf	<b>81 psf</b>
Pickel Meadow	6,800	155 psf	<b>119 psf</b>
Lee Vining	6,800	120 psf	<b>92 psf</b>
Long Valley (west of US 395)	7,000	125 psf	<b>96 psf</b>
Lundy Lake (lower)	7,000	150 psf	<b>116 psf</b>
Crowley Lake	7,000	125 psf	<b>96 psf</b>
Bald Mountain/Arcularius	7,100	150 psf	<b>116 psf</b>
Twin Lakes	7,200	140 psf	<b>109 psf</b>
Devil's Gate	7,400	155 psf	<b>119 psf</b>
Crestview	7,500	150 psf	<b>116 psf</b>
Swauger Creek	7,500	150 psf	<b>116 psf</b>
Convict Lake	7,580	155 psf	<b>119 psf</b>
June Lake	7,600	155 psf	<b>119 psf</b>
Lundy Lake (upper)	8,000	285 psf	<b>220 psf</b>
Virginia Lakes	9,600	285 psf	<b>220 psf</b>



#### **15.04.150 Defensible Space and Fire Hazards Reduction.**

Prior to the issuance of a Certificate of Occupancy or final approval, the Building Official shall require that, where applicable, the defensible space requirements and other fire hazard reduction requirements have been met pursuant to Chapter 7A of the 2016 California Building Code, as that Code may be amended from time to time, have been met. These requirements include, but are not limited to, the following:

Properties shall be maintained in accordance with the defensible space requirements contained in Government Code section 51182 (unless exempted by Government Code section 51183 or 51184) and Public Resources Code section 4291, as applicable.

- A.** The existence or maintenance of any of the following conditions is prohibited:
  - 1.** Tree branches within ten feet of a chimney outlet or stovepipe outlet;
  - 2.** Dead or dying tree branches adjacent to or overhanging a building;
  - 3.** Leaves, needles, or other dead vegetative growth on the roof of any structure;
  - 4.** Flammable vegetation or other combustible growth within thirty feet of an occupied dwelling or structure which prevents the creation of a firebreak.
  - 5.** Brush, flammable vegetation, or combustible vegetation located between 30 and 100 feet of an occupied dwelling or structure which prevents the creation of a reduced fuel zone; or
  - 6.** Brush or other flammable material within 10 feet of a propane tank.
- B.** For the purposes of this section, the following definitions shall apply:
  - 1. Firebreak** - shall mean an area of land within 30 feet of an occupied dwelling or structure or to the line, whichever is closer, in which all flammable vegetation or other combustible growth has been removed. The creation of a firebreak shall not require the removal of single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to any dwelling or structure.
  - 2. Reduced Fuel Zone** - shall mean an area between 30 and 100 feet of an occupied dwelling or occupied structure or to the property line, whichever is closer, in which all brush, flammable vegetation or combustible growth has been removed. The creation of a reduced fuel zone shall not require the removal of single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a dwelling or structure. Grass and other vegetation located more than 30 feet from the dwelling or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion.
- C.** No person shall be required to maintain any clearing on any land if that person does not have the legal right to maintain the clearing, nor is any person required to enter upon or damage property that is owned by another person without the consent of that person.

#### **15.04.160 Roof projections.**

All flues, fireplace chimneys, or other projections through the roof shall be protected from damage by sliding snow or ice. This shall be accomplished by using guys, formed metal guards, saddles, or other methods approved by the Building Official.

#### **15.04.170 Agricultural Storage Structures.**

Agricultural structures for the storage of field-grown products only, with at least three sides completely open, may utilize slope reduction factors in ASEC 7-10 for "Unobstructed Slippery Surfaces" per 7-2B, as determined by the Building Official.

#### **15.04.180 Manufactured Truss Submittal Requirements.**

- A.** All manufactured trusses shall be designed by a California licensed civil or structural engineer.
  - 1.** Truss design submittals and calculations may be "Deferred Submittals" and shall be submitted prior to or at the time of roof sheathing inspection.

2. If the truss design submittals and calculations are not submitted at this time, no further inspections will be conducted until this information has been provided for review and approval.

#### **15.04.190 Environmental Air Ducts and Exhaust Ventilation.**

Ducts used for domestic kitchen range shall terminate to the exterior, and be of metal and have a smooth interior surface. All bathrooms, water closets compartments, laundry rooms, and similar rooms shall be equipped with a mechanical exhaust ventilation system connected directly to the outside capable of providing a minimum ventilation rate of fifty cubic feet per minute for intermittent ventilation or twenty five cubic feet per minute for continuous ventilation specific to seasons of extreme cold and snow where exterior natural ventilation is not practical.

#### **15.04.200 High-rise structure requirements.**

Each building having floors used for human occupancy located more than fifty feet above the lowest level of fire department vehicle access shall comply with the standards set forth in Section 403 of Chapter 4 of the 2016 California Building Code and any similar requirements from time to time adopted by the California Building Standards Commission pertaining to high-rise buildings designed for human occupancy.

#### **15.04.210 Penalties for Chapter 15.04 Violations.**

- A. Unlawful Acts.** It shall be unlawful for any person, firm, vendors, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure, or building service equipment or cause or permit the same to be done in violation of this code and the technical codes as amended and adopted by the County. The use or occupancy of any building in violation of any of the provisions of this code or the technical codes as adopted by the County is declared to be a public nuisance and may be abated in the manner provided by law and subject to enforcement pursuant to the provisions of Chapter 1.12 of the Mono County Code.
- B. Notice of violation.** The Building Official and his or her deputy inspectors shall be vested with the necessary powers and duties for the exclusive purpose of enforcing provisions of this Code. The Building Official and his or her deputy inspectors may issue warnings or citations for violations, serve a notice of violation or order on the person responsible for the erection, construction, alteration, expansion, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.
- C. Prosecution of violation.** If a notice of violation is not complied with as directed, the Building Official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Further, any such violation may be subject to enforcement pursuant to the provisions of Chapter 1.12 of the Mono County Code.
- D. Violation penalties.** Any person who violates any of the provisions of this Chapter shall be subject to the penalties set forth in Section 1.04.060 and Chapter 1.12 of the Mono County Code.



**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 20, 2016

**Departments: Probation**

<b>TIME REQUIRED</b>	10 minutes (5 minute presentation; 5 minute discussion)	<b>PERSONS APPEARING BEFORE THE BOARD</b>	Karin Humiston
<b>SUBJECT</b>	Reducing Racial and Ethnic Disparity Grant		

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed Resolution, Agreeing to Participate in the Enhanced Racial and Ethnic Disparity Grant Project (R.E.D. Phase III), Authorizing the Probation Chief to Submit the Grant and to Execute any Corresponding Grant Agreement.

**RECOMMENDED ACTION:**

Adopt proposed resolution #R16-\_\_\_, Agreeing to Participate in the Enhanced Racial and Ethnic Disparity Grant Project (R.E.D. Phase III), Authorizing the Probation Chief to Submit the Grant Application and Execute the Grant Agreement.. Provide any desired direction to staff.

**FISCAL IMPACT:**

There is no fiscal impact to the general fund. The grant is for \$150,000. There will be Revenue of \$150,000 and expenses of \$150,000 in the Juvenile Probation Department Budget (500).

**CONTACT NAME:** Karin Humiston

**PHONE/EMAIL:** 760-932-5570 / khumiston@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY  
32 DAYS PRECEDING THE BOARD MEETING**

**SEND COPIES TO:**  
Karin Humiston and Susie Boylan.

**MINUTE ORDER REQUESTED:**

YES  NO

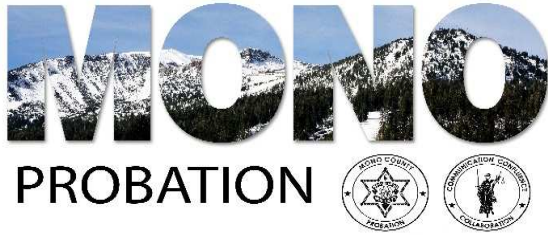
**ATTACHMENTS:**

Click to download
<input type="checkbox"/> <a href="#">Staff Report</a>
<input type="checkbox"/> <a href="#">Resolution</a>
<input type="checkbox"/> <a href="#">RED Phase 3 Application</a>

---

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
12/14/2016 10:52 PM	County Administrative Office	Yes
12/15/2016 1:51 PM	County Counsel	Yes
12/15/2016 2:10 PM	Finance	Yes



P.O. BOX 596, BRIDGEPORT, CA 93517  
BRIDGEPORT OFFICE (760) 932-5570 • FAX (760) 932-5571  
MAMMOTH OFFICE (760) 924-1730 • FAX (760) 924-1731

Stan Eller  
Presiding Judge, Superior Court

Dr. Karin Humiston  
Chief Probation Officer

To: Honorable Board of Supervisors

From: Karin Humiston, Chief of Probation

Date: December 1, 2016

**Subject**

Mono County Probation Department seeking Reducing Racial and Ethnic Disparity (R.E.D.) Grant, Phase 3.

**Recommendation**

Approval for the Mono county Probation Department to seek grant funds of \$150,000 for 12 months for Phase 3 of the R.E.D. Grant.

**Discussion**

Mono County Probation Department, in conjunction with Mono County justice partners, recognize that while we effort to provide unbiased, objective assessments and supervision, an ethnic disparity exists. Mono County justice partners and community members would continue to benefit from the expert consultant and systems approach to address racial and ethnic disparities and identify Detention Alternatives. Mono County is prepared to identify values, cultural change and policy and procedure in alignment with goals of the R.E.D. Grant to reduce disparity. This is Phase 3 of the R.E.D. Grant of which we have already participated in both Phase 1 and Phase 2.

**Fiscal Impact**

Revenue to the Probation Department of \$150,000 and Expenditures of \$150,000 for the R.E.D. Grant program.



RESOLUTION NO. R16-\_\_

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS AGREEING TO PARTICIPATE IN THE ENHANCED RACIAL AND ETHNIC DISPARITY GRANT PROJECT (R.E.D. PHASE III), AUTHORIZING THE PROBATION CHIEF TO SUBMIT THE GRANT APPLICATION AND EXECUTE THE GRANT AGREEMENT**

**WHEREAS**, Mono County desires to participate in the Title II Reducing Racial and Ethnic Disparity (R.E.D.) Grant program, funded through the federal Office of Juvenile Justice and Delinquency Prevention and administered by the board of State and Community Corrections (hereafter referred to as BSCC).

**NOW, THEREFORE, BE IT RESOLVED** that the Chief of Probation, Karin Humiston is authorized on behalf of this Governing Board to submit the grant application for this funding and to sign the Grant Agreement with the BSCC, including any amendments thereof.

**BE IT FURTHER RESOLVED** that state grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

**BE IT FURTHER RESOLVED** that Mono County agrees to abide by the statutes and regulations governing State Contracting (including General Terms and Conditions 610), Federal Title II Formula Grant funding special conditions and requirements as well as the terms and conditions of the Grant Agreement as set forth by the BSCC.

**APPROVED AND ADOPTED** this \_\_\_ day of December, 2016, by the following vote of the Board of Supervisors, County of Mono:

Ayes:  
Noes:  
Absent:  
Abstain:

\_\_\_\_\_  
**FRED STUMP, CHAIR  
BOAD OF SUPERVISORS**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CLERK OF THE BOARD**

\_\_\_\_\_  
**COUNTY COUNSEL**



**TITLE II JUVENILE  
DELINQUENCY PREVENTION AND  
INTERVENTION  
GRANT PROGRAM**

**REDUCING RACIAL AND  
ETHNIC DISPARITY (R.E.D.)  
GRANT REAPPLICATION  
-PHASE 3-**

**RELEASED OCTOBER 20, 2016**

**Four-Year Phased Project Cycle  
October 1, 2014 to September 30, 2018**

**Applications due by 5:00 p.m., November 18, 2016**  
*In addition to the original R.E.D. Grant application and Phase 2 Reapplication, this Reapplication packet for Phase 3 includes important information about funding provisions, grant eligibility, and application submission requirements.*



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## CONTACT INFORMATION

This non-competitive Reapplication Packet provides information necessary to prepare a reapplication to the Board of State and Community Corrections (BSCC) for the Title II Juvenile Delinquency Prevention and Intervention Grant Program, Reducing Racial and Ethnic Disparity(R.E.D.) Project for **Year 3/Phase 3** of funding. Funding will be awarded upon the successful completion of the Year 2/Phase 2 grant period and the submittal of the reapplication for Year 3 funding. Questions concerning this packet should be directed to:

**Eloisa Tuitama, Field Representative**  
Corrections Planning and Programs Division  
Phone Number: (916) 916-341-7328

Email: [eloisa.tuitama@bscc.ca.gov](mailto:eloisa.tuitama@bscc.ca.gov)

## SUBMISSION INSTRUCTIONS

For Year 3/Phase 3 funding consideration, submit one originally signed Reapplication Packet to the BSCC's Corrections Planning and Programs Division by 5:00 p.m. on **November 18, 2016**.

Packets must be submitted to:

Board of State and Community Corrections  
Corrections Planning and Programs Division  
2590 Venture Oaks Way, Suite 200  
Sacramento, CA 95833

Attn: Eloisa Tuitama, Field Representative

In addition, an e-copy/pdf of the reapplication (without a signature, if an e-signature is unavailable) **must** be emailed to [eloisa.tuitama@bscc.ca.gov](mailto:eloisa.tuitama@bscc.ca.gov) by November 18, 2016.

A complete reapplication packet includes:

- Sections I through IX, completed providing the required information in the tables and narrative fields within the reapplication document. Applicants must use the fill-in format provided by the BSCC.
- A Board of Supervisors Resolution for Year 3/Phase 3 funding.
- Letters of Support/Memorandum of Understanding (MOU) as described under the Grant Requirements Section.

## GRANT REQUIREMENTS

### **Eligibility and Grant Period**

Eligible applicants are current Title II R.E.D. Grant recipients (listed below) selected through a competitive process to receive Title II R.E.D. funding for a four-year phased cycle (October 1, 2014 to September 30, 2018), the first year of which began on October 1, 2014 and ended on September 30, 2015; the second year which began on October 1, 2015 and ended on September 30, 2016. These four grantees are eligible to apply for continuation funding through this non-competitive reapplication process for Year 3/Phase 3 (October 1, 2016 to September 30, 2017). Funding will be awarded upon the successful completion of the Year 2/Phase 2 grant period, and the submittal and approval of the reapplication for Year 3/Phase 3.

### **Funding Amount**

Applicants will be allowed to request up to a maximum amount of their Year 1 final funding award for the period of October 1, 2016 through September 30, 2017 (Year 3).

- Mono County Probation Department \$150,000
- San Joaquin County Probation Department \$200,000
- Santa Barbara County Probation Department \$147,940
- Stanislaus County Probation Department \$200,000

### **Grant Agreement**

Applicants approved for funding by the BSCC Board are required to enter into a Grant Agreement with the BSCC. Grantees must agree to comply with all conditions of the Grant Agreement, all required assurances, general terms and conditions, and all budget items and conditions as contained in their reapplications.

Each grantee is responsible for maintaining the Grant Agreement, all invoices, records, and relevant documentation for at least three (3) years after the final payment under the contract.

### **Board Resolution**

Applicants must obtain an updated Board of Supervisors Resolution that covers the timeframe for Phase 3 funding (10/1/16 – 9/30/17). Please see Appendix A for a sample.

### **Letters of Support/Memorandum of Understanding (MOU)**

As part of the necessary commitment to community collaboration and justice system partners that must occur at every phase of this grant for the R.E.D. initiative to be successful, grant recipients are required to engage a wide range of stakeholders. If there have been any changes to your previously reported juvenile justice stakeholders, please provide an updated list. For any new additions, please include a Letter of Support or a Memorandum of Understanding (MOU).

Letters and/or MOUs should include a description of the agencies' commitment to (1) participate in local R.E.D. Committee meetings, (2) share data, (3) contribute resources, and (4) be open to policy and practice change within their respective departments. Additionally the R.E.D. Committee established in Phase 1 must continue to meet and work toward the county's R.E.D. goals and objectives, and consist of the juvenile justice stakeholders or their designees and other partners identified by the applicant, including **at least one youth and one family member** having been involved with the juvenile justice system.

### **Eligible Grant Expenditures**

Grant funds can be used to supplement existing funds dedicated to the project, but may not replace (supplant) funds that have been appropriated for the same purpose. For information on eligible and ineligible costs, please refer to the BSCC Grant Administration Guide on our website at: [http://www.bscc.ca.gov/s\\_correctionsplanningandprograms.php](http://www.bscc.ca.gov/s_correctionsplanningandprograms.php)

In addition, all funds must be used consistent with the requirements within the 2015 Department of Justice Grants Financial Guide, located at: [http://ojp.gov/financialguide/DOJ/pdfs/2015\\_DOJ\\_FinancialGuide.pdf](http://ojp.gov/financialguide/DOJ/pdfs/2015_DOJ_FinancialGuide.pdf).

### **Invoices**

Disbursement of grant funds occurs on a reimbursement basis for costs incurred during a reporting period. The State Controller's Office will issue the warrant (check) to the individual designated on

the reapplication form as the Designated Financial Officer for the grant. Grantees must submit invoices to the BSCC on a quarterly basis, no later than 45 days following the end of each quarter. Grantees must maintain adequate supporting documentation for all costs claimed on invoices. The BSCC may request specified supporting documentation with each invoice submission. BSCC staff will conduct on-site monitoring visits that will include a review of documentation maintained as substantiation for project expenditures.

### **Audit**

The grantee must submit an audit of expenditures (either grant-specific or as part of a city/county single audit) within 120 days of the end of the grant period. Reasonable and necessary extensions to the due date may be granted, if requested. In addition, the BSCC reserves the right to require a financial audit any time between the execution of the grant agreement and 60 days after the end of the grant period.

### **Project Monitorings**

The BSCC staff will conduct periodic monitoring of each project to assess whether the project is in compliance with grant requirements and making progress toward grant objectives, and provide technical assistance as needed regarding fiscal, programmatic, evaluation, and administrative requirements.

### **Data Collection/Progress Reports**

Grantees will be required to provide relevant data by submitting quarterly Progress Reports to Eloisa Tuitama, Field Representative, at [eloisa.tuitama@bscc.ca.gov](mailto:eloisa.tuitama@bscc.ca.gov). This data will be uploaded by the BSCC into Office of Juvenile Justice and Delinquency Prevention's (OJJDP) online Performance Measurement Platform (PMP) and Data Reporting Tool (DCTAT). The deadline for submitting progress reports will be no later than 45 days following the end of each quarterly reporting period. See Appendix B for Progress Report, Parts A, B, & C.

## **\*\*NEW GRANT REQUIREMENTS\*\***

Federal Requirements state, in part, that to be eligible for continued funding through the OJJDP Title II Formula Grant Program, subgrantees are subject to the following:

- The BSCC may require the Project Director (authorized to administer the project) and Designated Fiscal Contact (authorized to receive warrants) to complete the United States Department of Justice (USDOJ) Grants Financial Management Training by visiting the link below and keep the certificate of completion on file with all other official grant documents. USDOJ Grants Financial Management Training: <http://gfm.webfirst.com/>
- The Contractor/grantee (entity entering into contract with the BSCC) must maintain active registration of their Data Universal Numbers System (DUNS) number, used for this Grant Agreement, throughout the term of the contract. An active DUNS number is also required to remain in compliance with the Federal Funding Accountability and Transparency Act (FFATA), a reporting tool Federal prime awardees (i.e. prime contractors and prime grants recipients) use to capture and report subaward and executive compensation data. This a mandatory requirement of the Title II Formula Grant Program. Dun & Bradstreet: <https://iupdate.dnb.com/iUpdate/>

Additionally, the BSCC is committed to assisting grantees in advancing their local efforts to implement effective correctional practices aimed at reducing recidivism and developing juvenile justice programming consistent with the statewide goal of improved public safety through cost-effective, promising and evidence-based practices for managing criminal and juvenile justice populations. In support of this effort, the BSCC periodically provides training for project directors and other interested staff. This training may be provided during this grant award year. If so, award recipients will be contacted with details about training dates and locations.

Grantees may choose to register/attend similar trainings offered by other subject matter experts. Grantees may also choose to host and deliver their own training. In this last instance, the BSCC is available to provide technical assistance in support of such training.

## **BACKGROUND**

Guided by the Board of State and Community Corrections (BSCC) State Advisory Committee on Juvenile Justice and Delinquency Prevention's (SACJJDP) R.E.D. Subcommittee ([http://www.bscc.ca.gov/s\\_reducingracialandethnicdisparities%28r.e.d.%29subcommittee.php](http://www.bscc.ca.gov/s_reducingracialandethnicdisparities%28r.e.d.%29subcommittee.php)) using a multi-faceted approach of direct service, education, and support, California has worked to ensure the reduction of the overrepresentation of youth of color coming into contact with the juvenile justice system as a priority - with the ultimate goal being a fair and equitable justice system. Toward that end, R.E.D. has grown to a statewide initiative and follows three tracks: direct service, education/awareness, and support through both resources and advocacy.

The BSCC and the SACJJDP R.E.D. Committee (comprised of subject matter experts) was intentional in its framing of this work. The ultimate goal is to eliminate racial and ethnic disparities across the juvenile justice continuum; to do so requires an emphasis on the following three (3) elements:

- **Community engagement as a keystone to improved outcomes;**
- **The intersection between data-driven decision-making and the reduction of implicit bias; and**

- **Applying principles that focus on enhancing correctional practices while still allowing for innovation.**

Successful partnerships allow for greater involvement in necessary assessments, data-mining, and defining work plans during each grant phase.

The R.E.D. Grant goals are to: **reduce** the number of boys and girls of color in contact with the juvenile justice system, and **reduce** implicit bias in policies, practice, and decision-making. To successfully accomplish this, agencies must:

1. Actively collaborate with education, child welfare, law enforcement, mental health, and other systems that intersect with the juvenile justice system;
2. Actively engage community in the development and implementation of the strategies and partnerships to reduce disparities;
3. Utilize evidence-based principles and innovative, promising approaches that focus on effectiveness, efficiency, and equity (e.g., culturally competent and gender-responsive programming) toward the reduction of disparity; and
4. Evaluate and refine internal structures and policies that disparately impact boys and girls of color.

## DEFINITIONS

### **Community Engagement:**

The focus on community engagement is a national best practice. Community engagement acknowledges the importance of having the family and communities of youth most affected by the juvenile justice system working in partnership with juvenile justice system staff and community-based organizations throughout the reform process if measurable sustainable reductions in disparities are to occur. This engagement should include parents, guardians, and other family members of justice-involved youth, community leaders, victims, and system-involved youth.

Each project is required to demonstrate how it intends to implement and maintain the following four indicators of community engagement:

- Shared decision-making;
- Sharing of data;
- Shared planning process; and
- Transparency.

Partners play different roles in the process, such as:

**Traditional** non-government community leaders (e.g., faith-based leaders, community-based organizations) tend to see the big picture, understand the importance of compromise, are capable of leveraging own power to keep things moving, and often have respect for system stakeholders.

**Service providers** can serve as alternatives to detention/system involvement, and often have community and system connections; however, they may not be in a position to push too hard for change.

**Advocacy groups** possess specific knowledge and expertise of local policy, practice and legislative issues, and can also assist in providing strategies.

**Grassroots Organizations** are focused on the community and the individual needs of their members; they lean toward the people involved rather than the efficiency of the system. In addition to raising urgency, they often highlight issues that are seen beyond the scope of traditional reform.

**Consumers: Youth and Parents.** As people who have directly experienced the system, the discussion of reform is very personal and often painful. They may raise the level of intensity within the meeting or the process and are often motivated by the need to see some concrete changes to the system.<sup>1</sup>

### **Evidence-Based Practices (EBP), Approaches, and Strategies:**

The use of evidence-based principles and innovative, promising approaches that focus on effectiveness, efficiency, and equity (e.g., culturally competent and gender-responsive programming) have demonstrated success toward the reduction of disparity. It places an emphasis on achieving measurable outcomes and making sure services provided and resources used are effective.

Successful implementation of EBP includes:

- organizational development to create and sustain a culture accepting of best practices and evidence-based approaches, including a commitment to initial and ongoing professional development and training;
- use of validated risk/needs assessment tools;
- data collection and analysis;
- use of programs and practices known to produce positive criminal justice outcomes;
- quality assurance assessments to ensure program/principle fidelity;
- performance management to improve programs and policies;
- a “systems change approach” to develop collaborations so tasks, functions and sub-units work effectively together and not at cross-purposes; and
- a focus on sustainability.

### **Implicit Bias:**

This is defined as biases all individuals carry without awareness or conscious direction. “Even the most well-meaning, youth-oriented professionals can discriminate in subtle-yet-consequential ways – ways that significantly impact the lives of children, families, and individuals in public agency settings. These hidden biases can be expressed, quite unintentionally, through language, attitude, and actions. When used by those in positions of decision-making power, these expressions – however slight – can influence the interpretation and application of policies, procedures, and the law, and contribute to ongoing racial disparity.”<sup>2</sup>

## **PROJECT DESCRIPTION**

Please see the initial Request for Proposals and previous Requests for Applications for project descriptions and Phase 1 and Phase 2 descriptions.

### **Phase 3 – Community Engagement** (i.e., relationships with families and community partners)

The purpose of this phase is to engage stakeholders (e.g., community, families, youth, law enforcement, judges, district attorneys, public defenders, youth/community serving agencies, commissions and juvenile justice councils) in the development of a comprehensive, county-

<sup>1</sup>Juvenile Detention Alternatives Initiative (JDAI)

<sup>2</sup> Dr. Cameron Wedding - Moving Beyond the Influence of Hidden Biases

specific, long-term R.E.D. reduction plan. Grantees may use funds to contract with expert consultants to facilitate stakeholder collaboration and assist in developing reduction strategies. Grantees may also use funds to provide training. In addition, funds may be used for continued support of county probation departments' R.E.D. efforts. Please describe these in your budget.

**Phase4 - Implementation of R.E.D. Reduction Plan – Not required with Phase 3 Proposals**

**This information is included for reference in planning for year 4.**

The purpose of this phase is to support implementation and monitoring of the R.E.D. plan developed in Phase 3. Grant funds are earmarked for specific activities outlined in the reduction plan (e.g., implementation of a risk assessment tool, implementation or expansion of prevention and/or diversion programs for at-risk youth, training and sustainability efforts, etc.). Grant funds may be used to contract with expert consultants to facilitate stakeholder collaboration with implementing reduction strategies within the county. Grantees may also use funds to provide training. In addition, funds may be used for continued support of county probation departments' R.E.D. efforts. Please describe these in your budget.

**TITLE II FORMULA GRANT PROGRAM  
REDUCING RACIAL AND ETHNIC DISPARITY GRANT PROJECT REAPPLICATION  
SECTION I: APPLICANT INFORMATION**

**A. ENTITY/AGENCY IMPLEMENTING THE GRANT**

**CFDA #16.540**

COUNTY PROBATION DEPARTMENT: Mono

TAX IDENTIFICATION NUMBER (TIN)	DUN AND BRADSTREET NUMBER (DUNS)	TELEPHONE NUMBER
95-6005661	086128832	760-932-5570

PROBATION DEPARTMENT STREET ADDRESS	CITY	STATE	ZIP CODE
57 Bryant Street	Bridgeport	CA	93517

PROBATION DEPARTMENT MAILING ADDRESS	CITY	STATE	ZIP CODE
P.O. Box 596	Bridgeport	CA	93517

**B. GRANT AMOUNT REQUESTED (UP TO THE ORIGINAL YEAR 1 GRANT AWARD AMOUNT)**

\$ 150,000

**C. GRANT PROJECT DIRECTOR**

NAME AND TITLE	TELEPHONE NUMBER
Dr. Karin Humiston	760-932-5572

STREET ADDRESS	FAX NUMBER
57 Bryant Street	760-932-5571

CITY	STATE	ZIP CODE	E-MAIL ADDRESS
Bridgeport	CA	93517	khumiston@mono.ca.gov

**D. GRANT PROJECT FINANCIAL OFFICER**

NAME AND TITLE	TELEPHONE NUMBER
Susie Boylan	760-932-5573

STREET ADDRESS	FAX NUMBER
57 Bryant Street	760-932-5571

CITY	STATE	ZIP CODE	E-MAIL ADDRESS
Bridgeport	CA	93517	sboylan@mono.ca.gov

**E. GRANT DAY-TO-DAY CONTACT PERSON**


NAME AND TITLE	TELEPHONE NUMBER
Stacie Casabian, R.E.D. Coordinator	760-924-1732

EMAIL ADDRESS  
scasabian@mono.ca.gov

**F. APPLICANT'S AGREEMENT**

By signing this application, the applicant assures the grantee will abide by the laws, policies, and procedures governing this funding.

NAME AND TITLE OF PERSON AUTHORIZED TO SIGN AGREEMENT  
Dr. Karin Humiston, Chief of Probation, Mono County

APPLICANT'S SIGNATURE	DATE
	November 28, 2016



## SECTION II: GRANT PROJECT TIMELINES

**Part A:** The table provided below is the Phase 2 Timeline submitted as part of your reapplication or Year 2 funding. Indicate whether each proposed activity was completed within Year 2 of the R.E.D. project (Yes or No).

### Phase 2 Proposed Grant Activity Timeline

Proposed Activity	Proposed Timeframe	Completed (Y/N)
Identify key traditional and non-traditional stakeholders to launch R.E.D. collaborative	October 6, 2015	Y
Send out formal invitation to participate in the collaborative	October 15, 2015	Y
Implicit Bias Training	November 6, 2015	Y
R.E.D. Collaborative meeting	November 19, 2015	Y
Training to key stakeholders and R.E.D. Committee Governance on roles and responsibilities	November 19, 2015	Y
Evaluate DRAI and discuss expansion of use of house arrest and GPS	November 25, 2015	Y
Manually review each detention case for length of stay for each juvenile admitted into detention	November 25, 2015	Y
Develop a regular report to highlight disparities and track progress	November 30, 2015	Y
Convene data work group to discuss data that should be tracked	November 30, 2015	Y
Develop a plan for engaging and sustaining non-traditional stakeholders	December 21, 2015	Y
Racial and Ethnic Disparity 101 Training	January 15, 2016	Y
Training for Stakeholders R.E.D.	January 31, 2016	Y
Burns Institute to provide another example of DRAI to Mono County	January 31, 2016	N
Probation to develop a sample report for review by the data work group	February 5, 2016	Y
Sample report to be shown to Committee for feedback	February 5, 2016	Y
Regular annual review of DRAI	February 10, 2016	Y
Establish consensus on and document the purpose of detention	August, 2016	Y
Produce regular reports to monitor progress (monthly or quarterly). Continue to modify and troubleshoot data report as needed	Ongoing	Y
Implicit Bias Training	April, 2016	Y
Engage and Retain Community Stakeholders Work Group	May, 2016	Y
Convene Data Workgroup	June, 2016	Y
Eight month Leadership Training and Organization Management Completed by all Probation staff	June, 2016	Y

## **Part B: Phase 2 Proposed Timeline Narrative**

If applicable, use the narrative section below to explain any activity delays in Year 2 and/or activities not originally proposed but completed as part of your project in Phase 2.

The Detention Risk Assessment Instrument (DRAI) was provided to the Burns Institute, and discussions were held during the Collaborative meetings regarding possible changes to the current DRAI. During the discussions, the Burns Institute committed themselves to providing examples of DRAI's used in other Counties; however, this did not occur. Although the Burns Institute did not provide these documents, Mono County Probation chose to proceed without the Burns Institute by holding a meeting with stakeholders to review the current DRAI.

**Part C: Phase 3 Timeline**

Provide a proposed timeline for Year 3/Phase3 of your R.E.D. project. Include approximate dates for major activities to be accomplished or obstacles to be cleared in the third year of funding. Include activities that were proposed for Year2/Phase 2 but not completed, if still applicable.

Proposed Activity	Proposed Timeframe
Expanding Diversion and Alternative Consequences; provide assistance to the Early Reader program; Assist with support of Hispanic Council	Ongoing
Probation staff to meet with Behavioral Health to start the planning process for Club House Live after school diversion program	November 30, 2016
Identify a Club House Live planning committee including a youth and parent	December 15, 2016
R.E.D. Collaborative meeting- solicit ideas for Club House Live events	January 30, 2017
Probation to enter into an agreement with Behavioral Health to use Club House Live after school program for the diversion group.	February 10, 2017
Club House Live planning committee to create a 6 month calendar of events	February 28, 2017
Redesign procedures to define criteria for diversion and the relationship to Club House Live	March 10, 2017
Community Engagement – recruit volunteers for Club House Live	March 1 – September 30, 2017
Coordinator provides update to the Juvenile Justice Coordinating Council	March 22, 2017
R.E.D. Collaborative meeting	March 31, 2017
Training for staff involved in Club House Live diversion program and official opening	March 31, 2017

Planning Committee meeting - plan a Spring Community Engagement Event hosted by Club House Live kids	April 14, 2017
Community Engagement – meet with schools and provide advertisements for Club House Live	May 5, 2017
Create a survey to evaluate the diversion program to be completed by youth and parents	June 2, 2017
R.E.D. Collaborative Meeting	June 16, 2017
Provide Information about the diversion program to Hispanic Advisory Committee	June 30, 2017
Engage local Native American Tribes in diversion program	July 14, 2017
Connect with Mono County Libraries to advertise Club House Live	August 1, 2017
Summer Community Engagement Event – hosted by juveniles involved in Club House Live	August 31, 2017
R.E.D. Collaborative meeting	September 8, 2017
Culturally based program and staff development training	September 15, 2017
Establish consensus on and document success of the diversion program	September 15, 2017
Annual review of DRAI	September 22, 2017
Review of After School Program by Chief of Probation	September 30, 2017



## Part D: Phase 3 Timeline Narrative

### Quarters 1&2

Use the section below to briefly detail project activities to take place within the first two quarters of Year 3/Phase 3 (October 1, 2016 – March 31, 2017). Include any trainings for project staff, conferences, collaborative meetings with current and anticipated partners, project evaluation needs, etc.

Mono County intends to expand the diversion program and alternative consequences not only in the first half of the grant period but throughout all of Phase III. Probation will be partnering with Mono County Behavioral Health to expand the existing After School Program (to be called *Club House Live*) to meet the goals of the diversion program. Research supports the notion that After School Programs reduce delinquency. After partnering with Behavioral Health, a planning committee will be formed based on individuals who will be involved in the program to include a youth and his parent. A R.E.D. Collaborative meeting will be held to review the proposed plans of the diversion program, and provide feedback. Once a set plan has been agreed upon by the R.E.D. Collaborative, Probation will enter an agreement with Behavioral Health for the use of Club House Live as the diversion program. The Club House Live planning committee will create a 6-month calendar of events for the program, and create procedures that define the criteria for diversion. Members of the R.E.D. Collaborative will be engaging community members by recruiting volunteers to assist with the diversion program functions. Staff involved in the diversion program will receive training to effectively work with the juveniles involved within the first half of Phase III.

### Quarters 3 &4

Provide a brief explanation of project plans for the third and fourth quarters of Year 3/Phase 3 (April 1, 2017 - September 30, 2017). Include planning activities, program evaluations, preparation for Year 4/Phase 4, sustainability planning, etc.

In the second half of the Phase III grant period the Club House Live planning committee will plan community engagement events hosted by the juveniles involved in the Club House Live. The R.E.D. Collaborative will be engaging community member through outreach to schools, libraries, Hispanic Advisory Counsel, local Native American Tribes, and other public entities to maximize community involvement. The Club House live will also serve as a point to solicit contact with families for Continuum of Care Reform. The Probation Department will also be doing an annual review of the Detention Risk Assessment Instrument and establishing a consensus on and documenting the success of the newly formed diversion program. Finally, the Probation Department will be bringing an expert consultant to Mono County to provide Culturally Based Program and Staff Development training.

**SECTION III: PROPOSED BUDGET**

**Part A: Phase 3 Budget Table**

Complete the following table, **using whole numbers**, for the grant funds anticipated to be expended during the third year of the grant (October 1, 2016 to September 30, 2017), up to the original Year 1 Grant Award amount. While recognizing entities may use different line items in the budget process, the line items below represent how the BSCC will require grantees to report expenditures via its invoicing mechanism.

*Please verify total grant funds requested as columns do not auto-calculate.*

Applicants projecting to use grant funds for Indirect Costs / Administrative Overhead may not use more than 10 percent (10%) of the federal grant funds for this line item.

The ‘Other’ budget category should be used for conference registrations, training fees, and/or travel expenditures. Conference attendance and out of state travel require prior BSCC approval.

All funds shall be used consistent with the requirements within:

- The BSCC Grant Administration  
Guide [http://www.bscc.ca.gov/s\\_correctionsplanningandprograms.php](http://www.bscc.ca.gov/s_correctionsplanningandprograms.php)

and

- The 2015 Department of Justice Grants Financial Guide  
[http://ojp.gov/financialguide/DOJ/pdfs/2015\\_DOJ\\_FinancialGuide.pdf](http://ojp.gov/financialguide/DOJ/pdfs/2015_DOJ_FinancialGuide.pdf)

<b>BUDGET LINE ITEMS</b>	<b>PROPOSED GRANT FUNDS</b>
1. Salaries and Benefits	\$ 93,324
2. Services and Supplies	\$ 6,900
3. Professional Services	\$5,000
4. Community-Based Organization (CBO) Contracts	\$ 0
5. Indirect Costs / Administrative Overhead(may not exceed 10% of grant award)	\$ 0
6. Fixed Assets/Equipment	\$ 10,100
7.Data Collection / Enhancement	\$,5300
8. Program Evaluation	\$19,376
9. Other(include travel costs)	\$ 10,000
<b>TOTAL</b>	<b>\$150,000</b>

**Part B: Budget Table Line Item Details:**

The reapplication must provide sufficient detail in each category below regarding how federal grant funds will be expended to implement and operate the project as identified in the Year 3/Phase 3 Budget Table (above). The reapplication must provide sufficient justification that the amount of grant funds requested is reasonable and appropriate given the project's design and scope. If a budget line item is not applicable for the project, complete with N/A.

**1. SALARIES AND BENEFITS (e.g., number of staff, classification/title, salary and benefits)**

Requested Grant Funds Phase3: \$ 93,324

Narrative: Probation Assistant, 69A, Classification, 20 hours, weekly/\$29,770 and \$42,034 Benefits/Retirement, insurance is \$71,804/ year.

Case Manager I, 54 A, \$3087, Benefits \$2006 = \$5093 @8% \$408.80 (three hours/week)

Case Manager I, 54 A, \$3087, Benefits \$2006 = \$1224 (9 hours a week)

Behavioral Health Coordinator, 62 A, \$3815, Benefits 2670 = 6485 = \$520 (three hours/week)

For all Behavioral Health Case Managers, for 10 months ending September 30, 2017 = \$21,520

**2. SERVICES AND SUPPLIES (e.g., office supplies and training costs)**

Requested Grant Funds Phase 3: \$ 6,900

Narrative: The Summer Program will entail many events as indicated within the report. We will need to purchase Board Games \$20/game x 5= \$100, School Supplies (\$30)(20)=\$250 and Art Supplies \$250 (5) = \$1250.

\$4800 office/paper supplies

\$500 Mammoth Lakes Police Department Hispanic Council

**3. PROFESSIONAL SERVICES: (e.g., consultative services - include name of consultants or providers)**

Requested Grant Funds Phase3: \$ 5,000

Narrative: A continuation of the First Five program to assist youth in reading.

**4. COMMUNITY-BASED ORGANIZATION CONTRACTS (e.g., detail of services - provide name of CBO)**

Requested Grant Funds Phase3: \$ 0

Narrative:

**5. INDIRECT COSTS / ADMINISTRATIVE OVERHEAD: Indicate percentage and methodology for calculation. In the "Grant Funds" column of the previous table, this total may not exceed 10% of the total funds requested.**

Requested Grant Funds Phase3: \$ 0

Narrative:

**6. FIXED ASSETS / EQUIPMENT (e.g., computers, other office equipment necessary to perform project activities)**

Requested Grant Funds Phase3: \$10,100

Narrative: Three (3) Desktops at \$1200 including software and monitor = \$3600



Four (4) Tablets at \$1000 including software - \$4000  
Smart Television Samsung UN65HU8500 4K Ultra Smart LED for Health Wii software, games and movies - \$2000 (\$1899 with taxes and wall mount)  
Wii Games at \$30/each (10) = \$300  
Wii \$200

#### **7. DATA COLLECTION /ENHANCEMENT (e.g., programming services, data analysis)**

Requested Grant Funds Phase3: \$ 5300

Narrative: The Chief of Probation is responsible for gathering information and analyzing data. This will be at 40 hours (\$5300)

#### **8. PROGRAM EVALUATION (e.g., evaluator, materials)**

Requested Grant Funds Phase3: \$ 19,376

Narrative: Chief of Probation must evaluate the After School program. This will incorporating 146 hours which is (\$19,376)

#### **9. OTHER (e.g., travel expenses, training fees)**

Requested Grant Funds Phase3: \$ 10,000

Narrative: Motor Pool costs (fuel/maintenance) for R.E.D. Coordinator at .38/mile for the average 650/mile/mo= \$2964. The remaining \$2036 will be used to training fees.

1200 miles for summer program for four months =\$1824 + \$3176 for cost of events, training, museum entries and other events requiring entry fees.

## SECTION IV: DATA ANALYSIS AND ISSUE IDENTIFICATION

### Data Analysis:

Provide the R.E.D.-related data requested in the following tables. Use the data sources and/or definitions outlined below each table.

**Table 1: County Juvenile Hall-Rated Capacity (RC)**

Report the name of each Juvenile Hall in the county and its corresponding Rated Capacity (RC).

	Name	RC
Juvenile Hall:	Inyo County Juvenile Hall	16
Juvenile Hall:		

**Table 2: Critical Juvenile Justice Decision Making- Percentage Breakout by Race/Ethnicity and Gender**

Data for year: 2013

	Total	White	%	Black	%	Hispanic	%	Asian	%	Pacific Islander	%	Native American	%	Other	%
Youth Population (Age 10-17)	1390	970	69.7	4	.28	321	23.1	8	.57	0	0	44	3.2	43	3.15
Arrests	111	36	32.4	3	2.7	69	62.2	1	.9	0	0	2	1.8	0	0
Juvenile Hall Bookings	11	2	18.5	2	18.5	3	36	0	0	0	0	3	27	0	0
In-custody Holds for Detention Hearings	12	2	17	2	17	4	33	0	0	0	0	2	5	0	0
Petitions-Filed	37	13	34	1	1.5	22	58	1	1.5	0	0	2	5	0	0
Petitions-Sustained	37	13	34	1	1.5	22	58	1	1.5	0	0	2	5	0	0
Institutional Commitments	3	0	0	0	0	2	66.5	0	0	0	0	1	33.5	0	0

Table 2: In the above table, report the number and percentage of county youth, age 10-17, by race/ethnicity in the “Youth Population” row. Please use the California Department of Finance (DOF) population projections by county, age and ethnicity from the U.S. Census Bureau, Census 2010 of Population and Housing.

In addition, for each decision-making category, report the number of events for the identified year (a continuous 12 month period within the last 3 years), not the number of individual youth, as a single youth may have multiple events over the course of one year. For percentages (race/ethnicity variable divided by the corresponding category total times 100), round to the nearest whole number.

Arrests: Report the total number of juvenile arrests made by local law enforcement officers, the corresponding totals by race/ethnicity and percentages for the identified year.

Juvenile Hall Bookings: Report the total number of bookings into the juvenile hall(s), the corresponding totals by race/ethnicity and percentages for the identified year.

In-custody Holds for Detention Hearings: Report the total number of juveniles held in-custody awaiting detention hearings (pre-disposition), the corresponding totals by race/ethnicity and percentages for the identified year.

Petitions- Filed: Report the total number of petitions that were filed by the District Attorney, the corresponding totals by race/ethnicity and percentages for the identified year.

Petitions- Sustained: Report the total number of petitions that were sustained, the corresponding totals by race/ethnicity and percentages for the identified year.

Institutional Commitments: Report the total number of juveniles committed to a juvenile detention facility (juvenile hall or camp) by the Court (post-disposition), the corresponding totals by race/ethnicity and percentages for the identified year.

### **Issue Identification**

1. Using the data provided in this section, and any additional data deemed pertinent, identify and discuss potential issues related to race/ethnicity disparity and disproportionality (R.E.D.) in the county, particularly those of interest and/or concern to the probation department.

The data provided in Table 2 indicates a disparity in arrests. Hispanic youth represents 23.1% of the total Mono County youth. In comparison of arrests, Hispanic youth represents 62.2% of arrests. Further, at each decision-making events and specifically detention, more Hispanics and Native Americans have contact with detention and spend more time detained compared to other ethnicities. In review of the amount of time spent in detention for 2013, we learned that cumulatively, Caucasian youth spent 34 days, Black youth spent 15 days, Hispanic youth spend 452 days, and Native American youth spend 349 days. For 2013, Caucasian youth were housed in detention for an average of 17 days. Black youth were housed for an average of 5 days, Native American youth were detained for an average of 75 days and finally, Hispanic youth were detained for an average of 138 days. While the data from DOF was helpful in ascertaining ethnicity for ages 10-17, it has risen

dramatically as indicated by this year's school demographics in the Mono's largest community, Mammoth Lakes Unified Schools. Currently 50% of the High School and 70% of the Elementary School is Hispanic. Given the school percentage of Hispanic youth; however, we believe the population of 10-17 age range is much higher than the DOF and 2012 Census populations.

According to the OJJDP, the Relative Rate Index (RRI) will indicate areas that require additional investigation. The RRI is used to point to areas for more intensive examination, and to serve as an ongoing set of "vital signs" or 'early warning system' for the management of the juvenile justice system. The RRI is gained through the division of rate of events (e.g., arrests) (numerator) divided by rate of events for the largest population (in this case, white youth) (denominator). A rate of 1 would suggest the rate of the events: arrest (1.92), juvenile hall bookings (1.95), in-custody holds for detention hearings (1.94), petitions filed (1.71) and petitions sustained (1.71). Native America youth have a RRI of 1.46 for juvenile hall bookings and 1.94 for in-custody holds for detention hearings.

Mono County would benefit ad addressing the disparity between ethnicities with youth through both decision-making and implicit bias and data-driven and structural bias through community collaboration and collaboration with Behavioral Health. There is a clear need to develop a plan to strengthen and analyze data collection. Further, using the newly installed and implemented case management software, Mono County will be able to make data-driven decisions given our ability to formulate specific repeatable queries with downloads in a format to analyze data.

2. Using the data provided in this section and any additional data deemed pertinent, identify and discuss any changes or points of interest since 2014 commencement of the R.E.D. grant.

The data indicates an over-representation of youth of color within our justice system. Since 2013, Mono has implemented a Detention Risk Assessment, a valid and reliable instrument, to review requests for detention. Further, Mono implemented Graduated Sanctions and Incentives. The number of detention admissions dropped from 36 in 2013 to 12 in 2014. Unfortunately, the number of detained youth of color increased in 2014 (100% from 86% in 2013). The number of detained youth continued to drop in 2015 with two youth detained however one was Native American thereby indicating a 50% detainment of youth of color. The R.E.D. Committee and Justice Partners are ready to

move forward in Phase III to encourage community engagement and implement a new diversion program as an alternative to detention.

## SECTION V: PROJECT PROGRESS AND PLANS

1. Describe any infrastructure needs that still need to be addressed as the projects moves into Year 3/Phase 3 of the grant project.

As the project moves into year 3 Probation, in partnership with Behavioral Health, we will need to purchase electronic equipment to support the educational goals and life skills for the youths in the diversion program. Funding is needed for the support staff to be able to accommodate the expansion of the existing after school program to the restructured diversion program. Further, additional funding is needed to support youth related activities that are a core principle of the restructured diversion program.

2. Outline the services provided by the expert consultant(s) during Year 2/Phase 2 and explain if those services differed than originally proposed.

As originally proposed, the Burns Institute committed to providing the following: support in developing the composition of the committee; provide technical assistance to the committee regarding the meeting logistics; helped new members become familiar with the process by providing paper copies of the progress made by the Collaborative; facilitate discussion with the committee regarding the group's current understanding of R.E.D.; provided a formal training for stakeholders on the fundamentals of reducing R.E.D.; discussed and encouraged collaborative members to work with the collaborative broader community and to emphasize the importance of community engagement; assisted with the development of agendas; took the lead in preparing data as necessary and Probation presented the data; posed thoughtful questions for the committee to consider and discuss; helped with takeaways from each meeting; identified key data from Phase 1 and presented it to the R.E.D. committee; provided the committee with the Ventura County Day Reporting Center as a successful example; and facilitated a discussion with the committee regarding the purpose of detention and had Probation staff explain to the group so that everyone had a common understanding.

Many services that were originally purposed by the Burns Institute were not completed or addressed. There were twenty-five proposed services on the work plan that the Burns Institute was to assist Probation in the completion of Phase II. However, only the above-mentioned services are what Burns Institute actually assisted Probation with during Phase II. Therefore, the lack of consistent involvement from the Burns Institute hindered the progress of the R.E.D. initiative.

3. Detail proposed efforts to be taken in Year 3/Phase3 to further engage the community, community partners, and stakeholders. Include how the Probation Department will seek more consistent community member's involvement with collaboration/meeting attendance. In concert with community members and committee members, it is the goal to meet with those agencies to gain support for attendance to the Club House Live. We hope to parallel our efforts with Social Services in the CCR effort and foster parents. We plan to introduce our plans at events such as sporting events, community centers, community clubs and other socially supportive environments.
4. Describe how the Probation Department will engage more youth and their families in planning activities and reform efforts. Include what barriers might occur in engaging youth/families and how the Department will try to mitigate these challenges.

Early identification is critical in dissuading errant behavior. A risk and needs assessment will be conducted for youth charged with infractions and misdemeanors. If they are low risk, they will be ordered to the Club House Live Diversion program consisting of groups, tutoring, and activities. All activities in Club House Live will be culturally cognizant and respectful. Cultural competency is mandatory for all staff who work Club House Live including Probation Officers. Probation staff will increase their time in schools talking with youth in the Mammoth Lakes and North County areas to reduce the stigma of Officers with youth.

## **SECTION VI: COMMUNITY ENGAGEMENT**

Community Engagement is a priority in reducing disparity. You must include a description of each of the bulleted points in your response to this section. Describe:

- The Department's level of engagement in reducing racial and ethnic disparity in Phases 1 and 2.

A level of engagement is a subjective determination but to possibly answer this, we have increased the interest in the Paiute Tribes, the minority group that is disproportionately represented in detainments. The Hispanic Council continues to grow and specific speakers are well attended. The group is very excited about providing after school programming, a goal which has never been achieved in our largest community.

- The Department's current level and type of community engagement and collaboration, system stakeholders' engagement and collaboration, and any local champions that may have evolved during Phase 2; and

As indicated above, we are increasing representation and interest in the tribal colonies. We have increased involvement with law enforcement within the township. We are beginning to increase our time in schools. During the CCR education expansion, R.E.D. will play a part in presentation information. It is our hope to advance logos and information to be made available. A web site currently exists however we need to expand it. We will be accepting our first intern who has shown interest in our department.

- How your current efforts will be strengthened in Phase 3. Please include a description of how the Department intends on implementing and maintaining the following four indicators of community engagement:
  - Shared decision-making;
  - Sharing of data;
  - Shared planning process; and
  - Transparency.

Mono County Probation's level of engagement includes providing funds to support the Hispanic Advisory Counsel and First Five Readers program. Much of probation staff attends all R.E.D. Collaborative, or other R.E.D. related meetings and trainings. Juvenile Probation staff supports the R.E.D. initiative by reducing the number of youth detained and increasing the number of youth who are diverted. By opening the R.E.D. committee to the community, events and meetings are open to all.

The Mono County Probation Department intends on implementing and maintaining shared decision-making through continuous collaboration with stakeholders and justice partners. Sharing of data will continue through the R.E.D. Collaborative meetings, as well as, allowing data and information sharing between juvenile justice partners. The shared planning process will be maintained by holding planning meetings with the R.E.D. Collaborative and stakeholders, and continuing to seek feedback from community members. The Probation Department will continue efforts of maintaining transparency through the continuation of the collaborative and providing a feedback loop. Probation will also continue an annual review of



the DRAI with the juvenile justice partners along with the collaborative group, and will provide data on detention.

**SECTION VII - VIII: WORK PLAN & LEADERSHIP ACTIVITIES**

If your workplan includes items not discussed in previous sections, please provide those details in narrative format. Then address your planned County Leadership activities using the table below.

County R.E.D. leadership is essential for the success of ensuring that the overrepresentation of youth of color coming into contact with the juvenile justice system is given priority attention. To that end please describe the steps that will be taken by the Chief of Probation and the Grant Project Director to ensure these activities are implemented and maintained.

TASKS	CHIEF PROBATION OFFICER	R.E.D. PROJECT DIRECTOR
<p><b>I. Inspire a shared vision by:</b></p> <ul style="list-style-type: none"> <li>• Communicating R.E.D. importance to all levels of staff</li> <li>• Linking to Department Values</li> <li>• Providing “paper” showing support and clarifying purpose (memo, email, R.E.D. fact sheet, etc.)</li> <li>• Supporting a designated R.E.D. Coordinator position</li> </ul>		
<p><b>II. Provide a safe environment for critical analysis by:</b></p> <ul style="list-style-type: none"> <li>• Supporting data collection at key decision points</li> <li>• Sharing of data between agencies</li> <li>• Encouraging data-sharing/data improvement dialogues</li> </ul>		
<p><b>III. Support R.E.D. committee meetings by:</b></p> <ul style="list-style-type: none"> <li>• Attending meetings or establishing</li> </ul>		

<p>communication strategies for briefings</p>		
<p><b>IV. Introduce/Attend R.E.D. Trainings by:</b></p> <ul style="list-style-type: none"> <li>• Reinforcing the R.E.D. message</li> <li>• Supporting ongoing R.E.D. training for staff</li> </ul>		
<p><b>V. Engage all levels of the Department by:</b></p> <ul style="list-style-type: none"> <li>• Including line staff on the R.E.D. committee</li> <li>• Asking for support from staff as changes are recommended or implemented</li> <li>• Aligning systems</li> </ul>		
<p><b>VI. Seek out resources / advocates that will reinforce the R.E.D. message by:</b></p> <ul style="list-style-type: none"> <li>• Collaborating with community stakeholders including parents, guardian, and other family members of justice-involved youth, victims, and system-involved youth</li> <li>• Collaborating with Non-Government Organizations including community leaders, faith-based leaders, and advocacy groups</li> <li>• Collaborating with local systems including education, child welfare, law enforcement, mental health, and other systems that intersect with the juvenile justice system</li> <li>• Collaborating with State Agencies</li> </ul>		

<ul style="list-style-type: none"> <li>Collaborating with Federal Agencies</li> </ul>		
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**SECTION IX: PROJECT DESCRIPTION**

The following project description is what the BSCC currently has posted on our website for your project. If this description accurately describes your project, please write "Approved" in the space provided below. However, if you would like to update the project description, provide a full updated description in the space provided below. Please keep the description to no more than 200 words.

Mono County justice partners recognize that while there is an effort to provide unbiased objective assessments and supervision an ethnic disparity exists in the juvenile justice system. Mono County justice partners and community members would benefit by including a diversion program identifying Detention Alternatives. Mono County is prepared to identify values, cultural change, and apply policy and procedure in alignment with goals of the R.E.D. grant to reduce disparity in the justice system. To accomplish this Mono County will implement an alternative diversion program and systems approach in procedural change to reduce racial and ethnic disparities.



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** December 20, 2016

**Departments: Finance**

**TIME REQUIRED** 15 minutes (5 minutes presentation;  
10 minutes discussion) **PERSONS APPEARING BEFORE THE BOARD** Janet Dutcher

**SUBJECT** Tax Appeal Impound Fund

---

### AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Authorize impounding of \$1,400,000 associated with pending appeals.

---

### RECOMMENDED ACTION:

Approve and authorize the Finance Director to impound \$1,400,000 of redeemed taxes to offset anticipated tax appeal results covering fiscal years 2010, 2011, 2012, 2013, 2014 and 2015.

---

### FISCAL IMPACT:

By impounding an additional \$1,400,000 in addition to the existing balance of \$1,047,000 in the impound fund, the County and other property tax jurisdictions are less likely to experience significant reductions in future current secured tax distributions when tax appeal refunds are issued. The money used to impound taxes was generated from delinquent property tax payments that was not anticipated when this year's budget was prepared.

---

**CONTACT NAME:** Stephanie Butters

**PHONE/EMAIL:** 7609325496 / sbutters@mono.ca.gov

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SUBMIT THE ORIGINAL DOCUMENT WITH  
ATTACHMENTS TO THE OFFICE OF  
THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY**  
**32 DAYS PRECEDING THE BOARD MEETING**

**SEND COPIES TO:**

---

### MINUTE ORDER REQUESTED:

YES  NO

---

### ATTACHMENTS:

Click to download

[Staff Report](#)

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
12/14/2016 9:43 AM	County Administrative Office	Yes
12/13/2016 12:41 PM	County Counsel	Yes
12/12/2016 11:31 AM	Finance	Yes



# DEPARTMENT OF FINANCE AUDITOR-CONTROLLER COUNTY OF MONO

---

*Stephanie M. Butters*  
Assistant Finance Director  
Auditor-Controller

*Janet Dutcher, CPA, CGFM*  
Director of Finance

*P.O. Box 556*  
*Bridgeport, California 93517*  
*(760) 932-5490*  
*Fax (760) 932-5491*

**TO:** Honorable Board of Supervisors

**FROM:** Janet Dutcher, Finance Director

**DATE:** December 20, 2016

**SUBJECT:** Tax Appeal Impound Fund

---

## **RECOMMENDATION:**

Approve and authorize the Finance Director to impound \$1,400,000 of redeemed taxes to offset anticipated tax appeal results covering fiscal years 2010, 2011, 2012, 2013, 2014 and 2015.

## **DISCUSSION:**

The Assessor has informed our office of several major appeals covering multiple parcels over multiple years. In conversations with the Assessor, appeals are outstanding for more than \$3.9 million in property tax refunds through 2015. In order to prepare and insure sufficient availability of funds to make the anticipated refunds, the Finance Director is requesting authorization to impound an additional \$1,400,000 from the redemption account (delinquent property tax collections). By adding an additional \$1.4 million, the tax impound fund will have a combined balance of \$2,447,000. This is 62% of potential refunds. Impounding this money now especially from delinquent collections, a source of property tax payments not anticipated during budget preparation, is easier and less painful than reducing current secured tax distributions to jurisdictions later on in the year. If not for the impound account, large tax appeal refunds could create a negative apportionment situation where no revenues are available for distribution to participants.

Government Code Section 26906.1 allows the County Auditor, with the approval of the Board of Supervisors, to impound disputed revenues of any tax upon secured or unsecured property. If the pending appeals run through the next fiscal year, further deposits and adjustments can be made. Once the appeals are resolved, any additional funds required or any excess impounded will be apportioned appropriately to each taxing entity.

## **FISCAL IMPACT:**

By impounding an additional \$1,400,000 in addition to the existing balance of \$1,047,000 in the impound fund, the County and other property tax jurisdictions are less likely to experience significant reductions in future current secured tax distributions when tax appeal refunds are issued. The money used to impound taxes was generated from delinquent property tax payments that was not anticipated when this year's budget was prepared.



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** December 20, 2016

**Departments: Finance**

**TIME REQUIRED** 15 minutes (5 minutes presentation;  
10 minutes discussion) **PERSONS APPEARING BEFORE THE BOARD** Janet Dutcher/Gerald Frank

**SUBJECT** Silver Pines Chalet TOT Penalty  
Appeal and Request for Installment Plan

### AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

TOT penalty appeal for Silver Pines Chalet and request for repayment agreement of TOT taxes for quarters ended September 2015, December 2015, March 2016, June 2016 and September 2016.

### RECOMMENDED ACTION:

1. Consider and approve, approve with modifications, or deny Sierra Pines Chalet's appeal requesting waiver of penalties for prior unpaid Transient Occupancy Tax. 2. Consider and approve, approve with modifications, or deny Sierra Pines Chalet's request for an installment plan for unpaid Transient Occupancy Tax.

### FISCAL IMPACT:

The fiscal impact would be the loss of \$6,288.92 in penalties, if the waiver is approved.

**CONTACT NAME:** Gerald Frank

**PHONE/EMAIL:** 760-932-5483 / gfrank@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH  
ATTACHMENTS TO THE OFFICE OF  
THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY**  
**32 DAYS PRECEDING THE BOARD MEETING**

**SEND COPIES TO:**

### MINUTE ORDER REQUESTED:

YES  NO

### ATTACHMENTS:

Click to download

[Staff Report](#)

[TOT appeal letter from operator](#)

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
12/14/2016 1:41 PM	County Administrative Office	Yes
12/14/2016 5:49 PM	County Counsel	Yes
12/7/2016 1:41 PM	Finance	Yes





# DEPARTMENT OF FINANCE

## COUNTY OF MONO

---

Gerald A. Frank  
Assistant Finance Director  
Treasurer-Tax Collector

Janet Dutcher, CPA, CGFM  
Finance Director

Stephanie Butters  
Assistant Finance Director  
Auditor-Controller

P.O. Box 495  
Bridgeport, California 93517  
(760) 932-5480  
Fax (760) 932-5481

P.O. Box 556  
Bridgeport, California 93517  
(760) 932-5490  
Fax (760) 932-5491

**Date:** December 20, 2016  
**To:** Honorable Board of Supervisors  
**From:** Finance: Janet Dutcher, Gerald Frank  
**Subject:** Appeal by Sierra Pines Chalet for a waiver of late penalties and an installment plan for Prior unpaid Transient Occupancy Tax.

### Actions Requested:

1. Consider Sierra Pines Chalet's appeal to waive penalties for prior unpaid Transient Occupancy Tax. Approve/Deny appeal to waive penalties.
2. Consider Sierra Pines Chalet's request for an installment plan for unpaid Transient Occupancy Tax. Approve/Deny request for installment plan.

### Discussion:

Information provided to Finance by Sierra Pines Chalet suggests that they do not dispute the amount of the tax, however the operator is requesting that the board find good cause to waive accrued penalties and authorize the Treasurer/Tax Collector to enter into an installment plan as provided by Mono County Code section 3.28.140. Mono County Code section 3.28.140 allows any operator to appeal the decision of the tax collector with respect to the amount of taxes, interest, penalties, or suspension. The code also allows the Board to waive any or all accrued penalties upon the finding of good cause and may authorize the tax collector to approve and enter into a payment-plan agreement with the operator.

In early September 2016 the Treasurer/Tax Collector's Office discovered that Sierra Pines Chalet had switched from long term rentals to transient rentals, sometime in July 2015. We then informed the new owner that a Business License and TOT Certificate are required. The Business License was issued on October 6, 2016 and the TOT Certificate will be issued after the completion of this agenda item. We also informed the owner about operator responsibilities including collecting Transient Occupancy Tax from guests, filing quarterly reports, and making quarterly payments. We have received all quarterly reports from the operator dating back to the quarter that ended October 31, 2015. A total of \$ 19,500.53 of tax, which excludes penalties and interest, is owing from these prior quarters. Along with the quarterly reports was a partial payment of \$ 2,984.93.

Letter from operator requesting waiver of penalties and installment plan is attached.

### Fiscal Impact:

The fiscal impact would be the loss of \$6,288.92 in penalties, if the waiver is approved.



Nov. 29, 2016

Gerald Frank  
County of Mono  
Department of Finance  
Office of the Treasurer/Tax Collector  
Tel: 760-932-5483

Dear Mr. Frank,

Hello and thank you for the opportunity to request consideration of a waiver of penalty fees.

I write this letter following instruction from Ms. McCurry, today, November 29<sup>th</sup>. As the Board will be made aware, I have submitted a request for a payment plan of TOT's. I simply don't have the resources to make a one-time payment or I would pay it immediately. As part of trying to get caught up, and create a stable business, I unfortunately landed in a position where significant penalty fees are also now due. It is my hope and prayer that the Board will grant me waiver of the penalties. The interest combined with principal due is significant to this little business.

I promise I will do all I can to get caught up, as soon as possible, and keep up with responsibilities including payments (if permitted).

I realize that one's view of income and expenses is different for every business and while some who read my request may look upon the penalties assessed as minor, they are significant to me. Repayment of fees and penalties is a huge stress on my life right now; and on the business as a whole. This is a small business, and while it is steadily growing, a number of unanticipated expenses were incurred; from plumbing to the purchase of materials and equipment to create this hotel business (things to which I was not aware).

The only way to make success possible was to offset expenses by doing as much of the work as possible myself. I do everything I can from booking customers, collecting payment to cleaning and doing the laundry. Over the summer months my days began at 7:00 a.m. and continued most nights until 9:00 p.m. ; I worked as hard as possible to give this business the greatest chance of success. I have invested all I can to make this a success. I know that there are challenges with any new business and we incurred things that were not planned, but I have great hope and belief that I can make this business a success.

I have many people relying on me, from my grandmother (102 years old) and mother, to my daughter and grandchildren who live with me. They're not just relying on me, but relying the success of this business because it directly relates to their support. I am considering many options to facilitate repayment, but my hope is that I can get some forgiveness and keep this business. I sincerely have faith that I can make this business a success. I am asking for help.

Finally, your email dated, October 16, 2016, outlined two options for repayment, I am requesting repayments over a 2 year period. Relief from payment of penalties will greatly help.

I acknowledge that as a condition to this agreement, I will have to maintain timely returns in the future and timely payment for those quarters.

I hope that this letter satisfies the requirement for a written request. Please let me know if you need any further information.

I look forward to hearing from you soon.

Kind regards,

A handwritten signature in cursive script that reads "Patricia A. Kennedy". The signature is written in black ink and is positioned above the typed name and address.

Patricia Kennedy  
Royce Asset Management dba  
*Silver Pines Chalet*  
76 Alderman Street  
June Lake, CA 93528  
Cell: (949) 922-0929



**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 20, 2016

**Departments: CAO**

**TIME REQUIRED** 20 minutes (10 minute presentation;  
10 minute discussion) **PERSONS APPEARING** Leslie Chapman

**SUBJECT** Restoration of Three Positions to the  
County Administration Office **BEFORE THE BOARD**

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

1. Proposed resolution to modify the Personnel Allocation List and restore three positions to the County Administrator's office. 2. Budget amendment to allocate contingencies or Economic Stabilization funds for the positions.

**RECOMMENDED ACTION:**

Adopt proposed resolution #R16-\_\_, Authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to reflect the addition of an Assistant County Administrator, a Human Resources Generalist, and a Deputy County Administrative Officer/Director of Communications in the County Administrative Office department; and approve budget amendment.

**FISCAL IMPACT:**

Assistant County Administrative Officer - \$75,181 including benefits for the remainder of the 2016-17 fiscal year, and \$180,433 for a full year. Human Resources Generalist - \$44,454 including benefits for the remainder of the 2016-17 fiscal year, and \$106,689 for a full year. Deputy CAO – Communications Director - \$58,313 including benefits for the remainder of the 2016-17 fiscal year, and \$139,951 for a full year. If all three positions are funded, a total of \$177,948 will need to be appropriated from contingencies or economic stabilization funds.

**CONTACT NAME:** Leslie Chapman

**PHONE/EMAIL:** 760-932-5414 / lchapman@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH  
ATTACHMENTS TO THE OFFICE OF  
THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY**  
**32 DAYS PRECEDING THE BOARD MEETING**

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download

[Staff Report](#)

[Resolution](#)

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### History

Time	Who	Approval
12/14/2016 10:51 PM	County Administrative Office	Yes
12/15/2016 1:15 AM	County Counsel	Yes
12/15/2016 2:10 PM	Finance	Yes



# COUNTY OF MONO

P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517  
(760) 932-5410 • FAX (760) 932-5411

Leslie L. Chapman  
County Administrative Officer

December 20, 2016

**To:** Honorable Board of Supervisors

**From:** Leslie Chapman

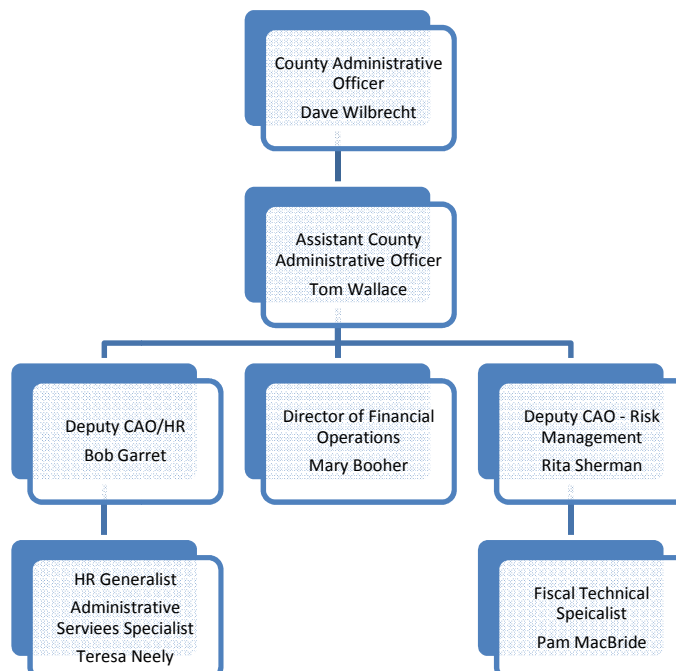
**Subject:** Proposal to restore positions to the County Administrative Office

**Recommendation:**

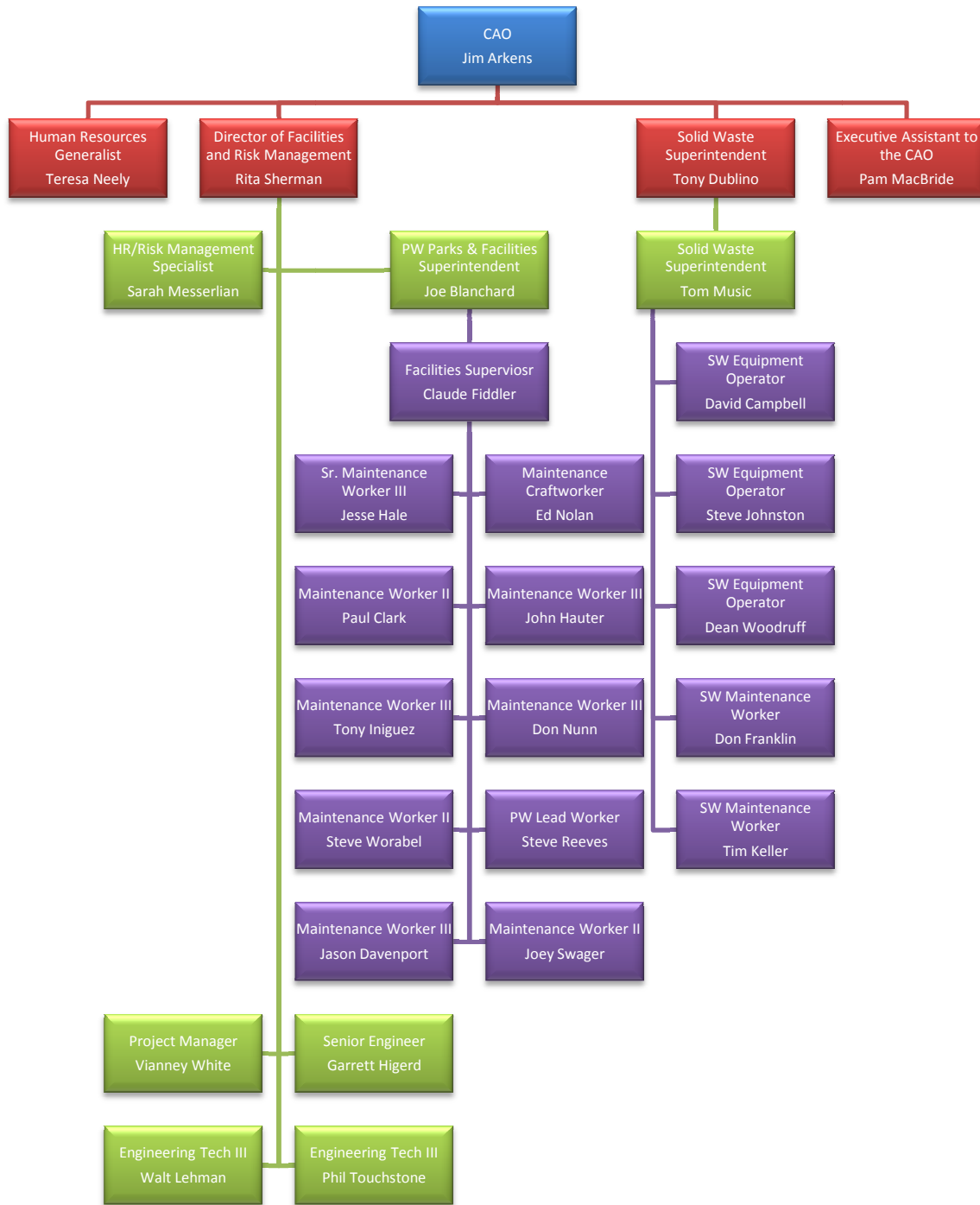
1. Approve resolution to add three positions to the Personnel Allocation List: Assistant County Administrative Officer, Deputy CAO – Director of Communications and Human Resources Generalist.
2. Approve budget amendment to use contingencies and/or economic stabilization funds to fund these positions.

**History and Discussion:**

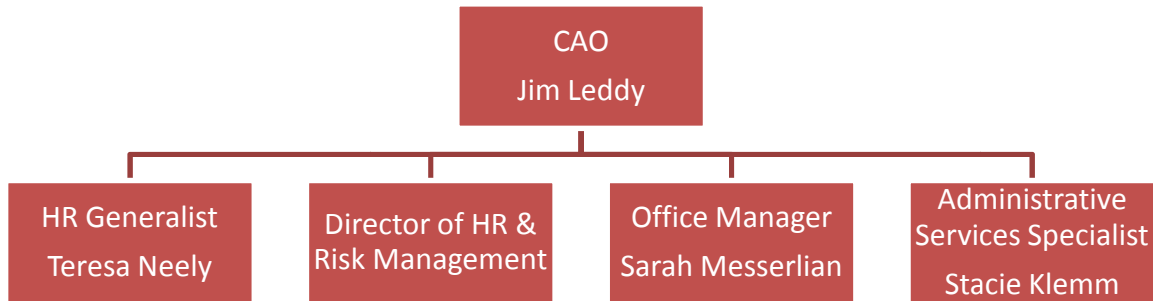
Today your Board is being asked to consider restoring staffing in the County Administrator's Office to the level it was at in 2008-2009 under the leadership of Dave Wilbrecht, when it looked like this:



Then under Jim Arkens, the department grew exponentially and the org chart looked like this:



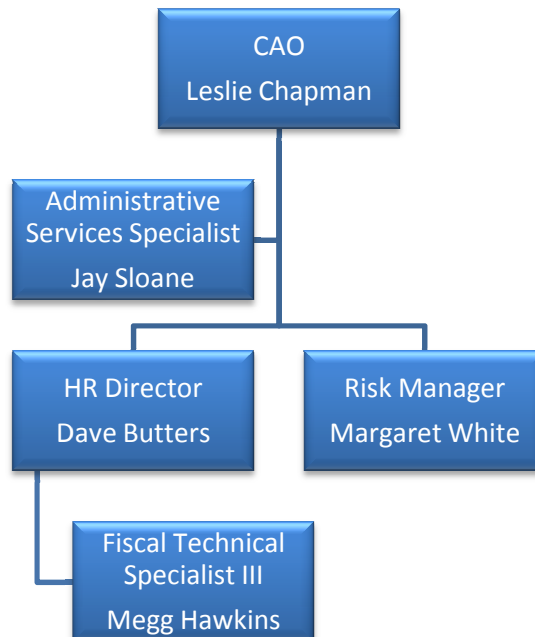
After Mr. Arkens left, Public Works resumed control of Facilities and Solid Waste. Consequently, in 2013 when Jim Leddy took over the CAO's Office, the structure had been diminished, but the recession was in full swing and there wasn't enough money available to restore key positions, positions were consolidated and the County survived with what it had. The structure looked like this:



These were difficult times for the County, finances remained bad, staff burnt out, became disgruntled and moved on. By the time Leslie Chapman became CAO in November of 2015, the office looked like this:

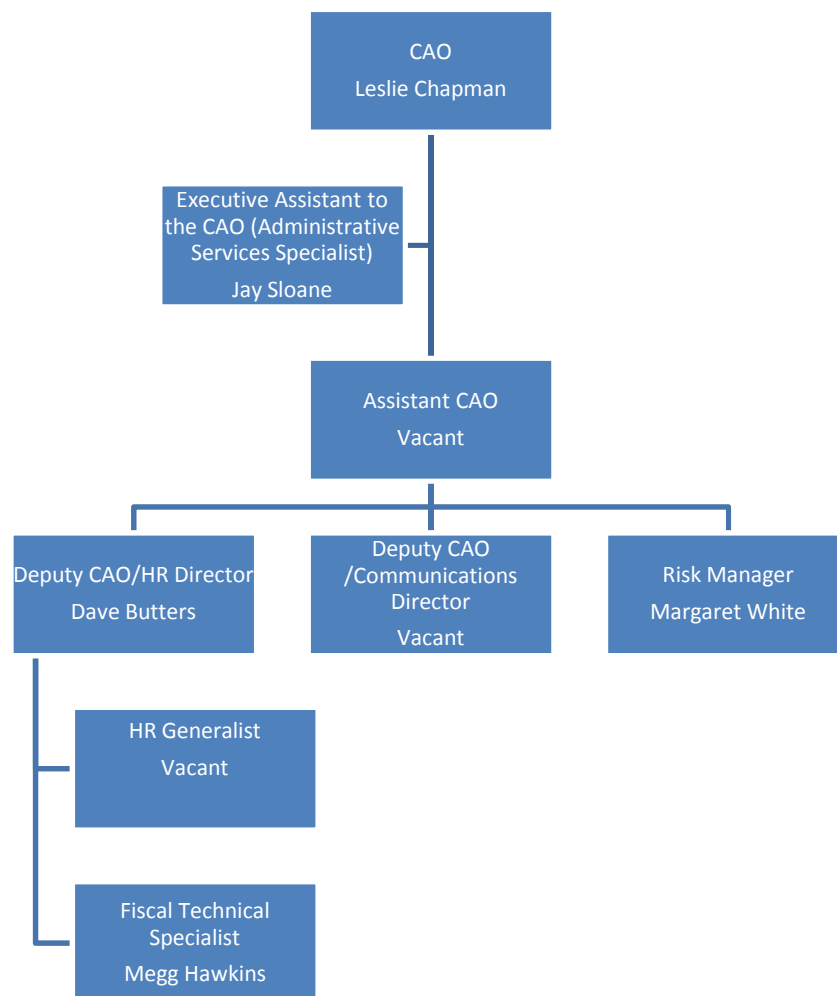


Many thanks to Megg Hawkins for sticking it out! The good news is that Ms. Chapman had the opportunity to build her team from the ground up. Some positions have been replaced and now the department looks like this:





Now, a year later, there has been time to contemplate needs, compare Mono County Administration to other counties and make a thoughtful, calculated decision about how to staff the office for optimal leadership and performance in carrying out your Board’s policies and strategic vision. Additional staff is also needed to provide leadership and support services to meet and exceed the needs and expectations of administration’s customers including your Board, internal departments, constituents, the media and our Mono County community. Consequently, staff is proposing the following structure which adds an Assistant County Administrative Officer, an HR Generalist and a Deputy CAO – Communications Director. This structure is almost identical to the 2008/2009 model under Dave Wilbrecht. The main difference is that staff is proposing replacing the Director of Financial Operations with the Deputy CAO – Communications Director to meet the changing demands of our constituents who demand information and transparency. The proposed structure looks like this:



Brief descriptions of the proposed positions and the related duties are described below.

**Assistant County Administrative Officer** will assist the CAO in making major financial, administrative and policy recommendations to the Board of Supervisors as well as conducting or directing special projects and the analysis of public policy issues that are complex, difficult and are often of a sensitive nature.

This person will be expected to take the lead in supervising and coordinating large County projects including providing project management, serving as a liaison, and overseeing the contract administration for the design, construction and modification of County buildings and structures. He or she will serve as the primary point-of-contact for County Departments regarding Capital Improvement Projects and will be responsible for defining CIP project goals and objectives.

This person will provide support and oversight of various department heads as assigned. He or she will be integrally involved in the development and implementation of the Mono County Strategic Plan. This includes assisting departmental managers in the development of strategic goals and performance measurements as they relate to the County's Board adopted strategic directions and focus areas.

**Human Resources Generalist** will work closely with the HR Director and be responsible for performing HR-related duties in a confidential and professional manner. This person will provide administrative support for the Human Resources Director including outreach recruitment efforts, reviewing applications, setting up interviews, developing tests such as written competency exams and oral interview questions, as well as managing the communication process with candidates. As part of the onboarding process, will assist in developing and delivering orientation materials to new hires. Will also be responsible for entering personnel changes into HR system to effect changes to payroll, support compensation and benefit surveys by gathering, organizing and analyzing data. Will become familiar with County processes and general policies to provide another point of contact for employees seeking information in these areas. Provide other support functions as directed by the HR Director.

Additionally, this person will provide support for Risk Management as needed by assisting in organizing staff training and providing general administrative support.

**Deputy CAO – Director of Communications** will be responsible for managing and directing the county's internal and external communications. He or she will serve as the key spokesperson and media contact for the County. This person will be responsible for creating and executing communication strategies including building external relationships with all forms of media and with the County's constituencies.

Additionally, the Communications Director will play an integral role in developing and implementing best practices for high functioning leadership teams including team building, understanding leadership styles, developing good communication habits, skills assessments, dealing with difficult personalities and creating an environment of team engagement.

Examples of additional responsibilities will include: developing, implementing and evaluating the annual communications plan; generation of online content that engages constituents and partner agencies and leads to measurable action – decide who, where and when to disseminate; develop and manage a world class webpage – ensure that new and consistent information (article links, stories and events) is posted regularly; manage development, distribution and maintenance of all print and electronic collateral including news releases, regular and timely Facebook and Twitter postings; and managing all media contacts.

**Strategic Alignment:**

For Mono County to achieve its vision of, “Outstanding Community Services, Quality Life Beyond Compare”, and its mission, “To support all our communities by providing superior services while protecting our unique rural environment,” first we need a robust administrative department to oversee and support our departmental management and staff in achieving, measuring and communicating their strategic goals. This department sets the tone for all County operations. With adequate staffing and resources, we will achieve the Best Mono possible by providing leadership, support and guidance needed to execute the Boards vision and mission.

**Fiscal Impact:**

**Assistant County Administrative Officer** - \$75,181 including benefits for the remainder of the 2016-17 fiscal year, and \$180,433 for a full year.

**Human Resources Generalist** - \$44,454 including benefits for the remainder of the 2016-17 fiscal year, and \$106,689 for a full year.

**Deputy CAO – Communications Director** - \$58,313 including benefits for the remainder of the 2016-17 fiscal year, and \$139,951 for a full year.

If all three positions are funded, a total of \$177,948 will need to be appropriated from contingencies or economic stabilization funds.



RESOLUTION NO. R16-

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS  
AUTHORIZING THE COUNTY ADMINISTRATIVE OFFICER TO AMEND THE COUNTY  
OF MONO LIST OF ALLOCATED POSITIONS TO REFLECT THE ADDITION OF AN  
ASSISTANT COUNTY ADMINISTRATOR, A HUMAN RESOURCES GENERALIST, AND A  
DEPUTY COUNTY ADMINISTRATIVE OFFICER/DIRECTOR OF COMMUNICAITONS  
IN THE COUNTY ADMINISTRATIVE OFFICE DEPARTMENT**

**WHEREAS**, the County of Mono maintains a list, of County job classifications, the pay ranges or rates for those job classifications, and the number of positions allocated by the Board of Supervisors for each of those job classifications on its List of Allocated Positions (or "Allocation List"); and

**WHEREAS**, the Allocation List identifies approved vacancies for recruitment and selection by Human Resources; determines and recognizes implementation of collective bargaining agreements related to job classifications and pay rates; and

**WHEREAS**, the County seeks to provide public services in the most efficient and economical manner reasonably possible, which at times requires the modification of job classifications on the Allocation List; and

**WHEREAS**, it is currently necessary to amend the Allocation List as part of maintaining proper accountability for hiring employees to perform public services; and

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES** as follows:

1. The County Administrative Officer is authorized to amend the County of Mono List of Allocated Positions to reflect the following changes:

Increase the allocation of one Assistant County Administrator in the Department of County Administration by 1\_(new total of 1) (salary of \$10,000/month).

Increase the allocation of one Human Resources Generalist in the Department of County Administration by 1\_(new total of 1) (salary range of \$4,535 - \$5,531/month).

Increase the allocation of one Deputy County Administrator/Director of Communications in the Department of County Administration by 1\_(new total of 1) (salary of \$7,000/month).

//

1 PASSED AND ADOPTED this 20th day of December, 2016, by the following

2 Vote:

3 AYES :  
4 NOES :  
5 ABSTAIN :  
6 ABSENT :

7 ATTEST: \_\_\_\_\_  
8 Clerk of the Board

\_\_\_\_\_   
Fred Stump, Chair  
Board of Supervisors

9  
10 APPROVED AS TO FORM:

11

12 \_\_\_\_\_  
13 COUNTY COUNSEL

14

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**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 20, 2016

**Departments: Board of Supervisors**

**TIME REQUIRED** 5 minutes

**PERSONS APPEARING BEFORE THE BOARD** Supervisor Corless

**SUBJECT** Out of State Travel Authorization for NACo Legislative Conference

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Out of State travel request for Supervisor Corless and one other supervisor to attend NACo conference in Washington D.C.

**RECOMMENDED ACTION:**

Approve out of state travel for Mono County Supervisor Stacy Corless (the county's NACo representative) and another Supervisor, as desired, to attend the NACo Legislative Conference in Washington, D.C. February 25-March 1.

**FISCAL IMPACT:**

Up to \$1500 per person for conference registration, hotel stay, air travel. Supervisor Corless will use personal airline miles to cover most of the flight cost.

**CONTACT NAME:** Leslie Chapman

**PHONE/EMAIL:** 760-937-7958 / lchapman@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY  
32 DAYS PRECEDING THE BOARD MEETING**

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Staff Report</a>

**History**

Time

Who

Approval

12/7/2016 2:40 PM	County Administrative Office	Yes
12/13/2016 12:17 PM	County Counsel	Yes
12/14/2016 9:38 AM	Finance	Yes



Larry Johnston - District One   Fred Stump - District Two   Tim Alpers - District Three  
Tim Fesko - District Four   Stacy Corless - District Five

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## **BOARD OF SUPERVISORS COUNTY OF MONO**

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P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517  
(760) 932-5538 • FAX (760) 932-5531

**TO:** Mono County Board of Supervisors  
**FROM:** Stacy Corless  
**DATE:** December 6, 2016

**Subject:**

Out of State travel request for NACo conference in Washington D.C.

**Recommended Action:**

Approve out of state travel for Mono County Supervisor Stacy Corless (the county's NACo representative) and another Supervisor, as desired, to attend the NACo Legislative Conference in Washington, D.C. February 25-March 1.

**Strategic Plan Focus Areas:**

- Economic Base—advocating for adequate funding for national forest lands could have a positive impact on our tourism and recreation-based economy
- Environmental Sustainability—advocating for adequate funding for forest management could improve forest health.

**Description:**

The NACo Legislative Conference, held annually in Washington, D.C., brings together over 2,000 elected and appointed county officials to focus on federal policy issues that impact counties and our residents. With a new administration, and newly elected members of Congress, the 2017 Legislative Conference is an opportunity to elevate the county voice at the national level. Attendees will participate in educational sessions, interact with federal officials, and descend on Capitol Hill, delivering the message that federal policies matter to counties and counties matter to America!

**Discussion:**

The NACo Legislative Conference provides an opportunity to advocate on important issues facing Mono County, many of which focus on public lands. In Mono County's strategic plan and in the comment letter on the Inyo National Forest's draft forest plan, the Board of Supervisors advocated for a number of policy positions impacting public lands, including Payment in Lieu of Taxes (PILT), and adequate funding for management and fighting wildfire. Supervisor Corless is a member of the NACo Public Lands Steering Committee and will participate in committee meetings at which the committee platform will be updated. Additionally, she will schedule meetings with Mono's Congressional delegation: Rep. Cook, Senator Feinstein, and Sen. Elect Harris, and other elected leaders as needed.

Supervisor Corless is requesting that the travel request be approved to include the possibility of a new NACo alternate also attending the conference.

**Fiscal Impact:**

Up to \$1500 per person for conference registration, hotel stay, air travel. Supervisor Corless will use personal airline miles to cover most of the flight cost.





**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 20, 2016

**Departments: Clerk of the Board**

**TIME REQUIRED**

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

Supervisor Corless

**SUBJECT** RCRC Policy Principles

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Board comments on Rural County Representatives of California (RCRC) Policy Principles document.

**RECOMMENDED ACTION:**

Review and provide initial comments on the Policy Principles document. Comments are due to RCRC Board of Directors no later than January 4, 2017.

**FISCAL IMPACT:**

None

**CONTACT NAME:** Helen Nunn

**PHONE/EMAIL:** x5534 / hnunn@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH  
ATTACHMENTS TO THE OFFICE OF  
THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY  
32 DAYS PRECEDING THE BOARD MEETING**

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<input type="checkbox"/> <a href="#">Staff Report</a>
<input type="checkbox"/> <a href="#">RCRC memo</a>
<input type="checkbox"/> <a href="#">Policy Principles Draft</a>

History

<b>Time</b>	<b>Who</b>	<b>Approval</b>
12/14/2016 6:10 PM	County Administrative Office	Yes
12/14/2016 5:45 PM	County Counsel	Yes
12/14/2016 2:12 PM	Finance	Yes



## CLERK-RECORDER-REGISTRAR OF VOTERS COUNTY OF MONO

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P.O. BOX 237, BRIDGEPORT, CALIFORNIA 93517  
(760) 932-5530 • FAX (760) 932-5531

*Shannon Kendall*  
*Acting Clerk/Recorder/Registrar*  
*skendall@mono.ca.gov*

To: Honorable Board of Supervisors

From: Helen Nunn, Sr. Deputy Clerk of the Board

Date: December 20, 2016

### Subject

RCRC is requesting comments on the draft of the RCRC proposed 2017 Policy Principles. The 2017 Policy Principles are provided today in draft form so that Board Members have sufficient time to review the principles and discuss with other members of their county Board and staff. The 2017 Policy Principles will not be adopted until the January 18, 2017 Board of Directors Meeting.

### Recommended Action

Review and provide initial comments on the Policy Principles document. Comments are due to RCRC Board of Directors no later than January 4, 2017.

### Fiscal Impact

None



**To:** RCRC Board of Directors  
**From:** Patricia Megason  
Executive Vice President  
**Date:** November 29, 2016  
**Re:** Proposed 2017 Policy Principles

---

Following please find a draft of RCRC's proposed 2017 Policy Principles for your review. These principles help guide RCRC staff when they review proposed legislation or regulations in order to determine the appropriate RCRC position on the issue. This document may be updated periodically through the next year to reflect new issues or policy changes made by the Board during that period.

The 2017 Policy Principles are provided today in draft form so that Board Members have sufficient time to review the principles and discuss with other members of their county Board and staff. The 2017 Policy Principles will not be adopted until the January 18, 2017 Board of Directors Meeting.

In order to facilitate discussion at the January Board Meeting and to allow all member counties to review any proposed changes, please provide any proposed edits to Sarah Bolnik in writing no later than January 4, 2017 so that they can be included in the Board Packet and considered at the January Board Meeting. Thank you for your consideration and participation in this process.

The proposed 2017 Policy Principles in track changes can be accessed [here](#), and online at <http://bit.ly/2gbTkhS>.

#### **Attachments**

- 2017 Proposed Policy Principles

**Rural County Representatives of California**  
**2017-18 Policy Principles**  
**DRAFT**

---

The Rural County Representatives of California (RCRC) is a member county service organization championing policies at the State and federal levels on behalf of California's rural counties. Rural counties face unique challenges when dealing with state and federal policies, such as greater distances, lower population densities, and geographic diversities which lead to unique obstacles for California's rural communities.

Founded in 1972, RCRC provides the rural county perspective on a myriad of issues throughout the state and federal legislative and regulatory processes with the mission to improve the ability of small rural California county governments to provide services to their constituents.

RCRC members and staff work to inform and educate State and federal representatives on the unique challenges California's rural counties face and to seek viable solutions for member counties through its advocacy efforts.

Each year, the RCRC Board of Directors adopts a set of Policy Principles that guide legislative and regulatory advocacy efforts for the organization. These Policy Principles set the stage for the organization's priorities on both broad categories and specific issues, and allow RCRC staff to take formal positions on individual pieces of legislation and regulatory proposals each year.

## **AGRICULTURE**

Agriculture continues to be a major economic sector for California. Comprised of 76,400 farms and ranches, California agriculture is a \$47 billion industry with over \$100 billion in related economic activity (based on 2015 California agricultural production statistics). California agriculture is a highly adaptable and diverse industry, encompassing more than 400 plant and animal commodities that feed the State, the nation, and the world.

Agriculture also fills many other vital and diverse roles in the California landscape. California agriculture provides for much needed open space in an ever increasing urban California; national security through the raising of our own fruits and vegetables, meat, poultry and other agricultural products; residual products for biomass to create clean alternative energy sources; science-based research and development through major universities; agri-tourism; preservation of habitat; and the reduction of greenhouse gas emissions.

Much of California's agriculture is rooted in rural counties. It is imperative that policies affecting the agricultural industry such as water, land use, air quality, taxation, and numerous others create an environment that allow California's

farmers and ranchers to continue to provide safe and nutritious products to consumers around the world.

## **AGRICULTURAL LAND MITIGATION**

**Agricultural Land Conversion to Habitat.** RCRC believes that mitigation should be required for the conversion of agricultural lands to terrestrial or aquatic habitat when the easement is permanent and/or agricultural land uses are prohibited. This mitigation should be required for a period of time that is commensurate with the amount of time that the agricultural land uses will be precluded. An exception to this policy is agricultural development, where land is set aside for habitat or open space to address the impacts of the agricultural development.

**Easements.** RCRC believes that the “stacking” of habitat and agricultural conservation easements may or may not be appropriate depending upon the specific county and circumstances.

**Feasible Mitigation.** RCRC believes that permanent agricultural land conservation through easements and fees should be recognized as feasible mitigation for the loss of agricultural land as determined by the local government. RCRC supports clarifying in statute that the permanent protection of agricultural land is feasible mitigation under the California Environmental Quality Act for the loss of agricultural land.

**Local Land Use Authority.** RCRC opposes efforts to preempt local land use authority in connection with the conversion of agricultural land to nonagricultural uses. A one size fits all approach with respect to mandatory mitigation requirements, arbitrary minimum or maximum mitigation ratios, the types of agricultural land required to be mitigated, and the location of mitigation lands ignores the unique characteristics of each county, has no scientific basis, and would establish a bad precedent.

**Mitigation Lands.** RCRC believes that mitigation lands should be of comparable quality and value as those that were permanently converted.

## **BIOTECHNOLOGY**

Agricultural biotechnology is a collection of scientific techniques that are used to create, improve, or modify plants, animals, and microorganisms. Agricultural crops developed utilizing biotechnologies are often referred to as genetically engineered, genetically modified, or bioengineered. The United States is the largest producer of genetically modified crops, one of the largest producers of organic crops, and one of the largest exporters of conventionally-grown, identity preserved crops in the world. Coexistence among these three categories of crops is a distinguishing characteristic of United States agriculture, and makes it different from some other parts of the world.

**Adventitious Presence.** Adventitious Presence is the unintentional, low level presence of transgenic material in seed, grain, or food. Until such time as the United States Department of Agriculture (USDA) adopts a comprehensive policy, RCRC supports the practice of local, regional, and state-level stakeholders developing rules, practices, and standards (e.g., planning of flowering and harvesting of different crops, grower districts, crop improvements and seed certification associations, seed sourcing standards, and noxious weed standards) that enable the coexistence of specialized or sensitive agricultural products and the need to meet diverse consumer and marketplace demands.

**Education.** RCRC supports efforts by the food industry to educate consumers about biotechnology, as consumer perception and market acceptance will determine the viability of the technology and the products produced.

**Federal Regulation.** RCRC supports the rigorous, science-based federal regulation of biotech products. This includes the United States Food and Drug Administration's broad authority to regulate all foods that are derived from new biotechnology food crops, regulations that require a scientific basis for approval/disapproval of agricultural products both domestic and foreign, the USDA's regulation of the movement, importation and field testing of genetically-modified crops, and the United States Environmental Protection Agency's establishment of limits for the amount of pest-control proteins present in foods derived from new genetically-modified crops.

**Labeling.** RCRC supports allowing, as a marketing tool, the voluntary labeling of products as not produced utilizing biotechnology if the label statements and/or advertising are not false or misleading, and the labeling and/or advertising meets established federal guidelines or standards, if any.

**Research.** RCRC supports policies including state funding for colleges and universities to support research and development of biotechnology techniques in agriculture to improve the productivity and competitiveness of California's agricultural and allied industries.

**State Policy.** RCRC supports a consistent statewide policy for the use of biotechnology in agriculture.

## **DISTRICT AGRICULTURAL ASSOCIATIONS/COUNTY FAIRS**

California fairs and fairgrounds have a complex governance structure and property ownership arrangement. There are 22 county fairs on county-owned land that are generally operated by the county with little or no State support. There are 41 District Agricultural Associations (DAA); in most instances, the State owns the fairground properties and the DAA operates the annual "county fair." The Governor appoints members to the governing board of each DAA and these entities are bound by various State procurement, personnel, and asset management rules.

Fairs and fairgrounds are an integral asset to rural counties, and the health and viability of each county's fair and fairgrounds is critical to both the local community as well as the State. Fairground properties are utilized throughout the year for numerous community events and are utilized by the California Department of Forestry and Fire Protection and other state and federal agencies as evacuation centers, incident command centers, and equipment staging areas during catastrophic wildfires and other emergencies.

In the 2015 State Budget, the Legislature provided a modest amount of annual, ongoing state assistance to small- and medium-sized fairs. And, in recent budgets, the Legislature has provided financial assistance for capital needs on all fairground properties. RCRC supports the current state funding assistance while pursuing both an increase and a sustainable funding stream in order to preserve a number of struggling fairs. RCRC also supports increased flexibility in the governance structure of fairs so they may operate in a more efficient and cost-effective manner.

## **INSPECTION AND COMPLIANCE**

Today's farming operations, both large and small, face many challenges including pressure from development, scarcity of resources such as water, increasingly stringent regulations, and increased imports of fruits and vegetables with minimal oversight. Agriculture is one of California's leading industries, and the primary economic base for many rural California communities. RCRC is supportive of programs and regulations that assist in preserving rural lands for agriculture; adequate supplies of resources at reasonable cost; and regulatory enforcement at the local, state, and federal levels to help assure a fair and equitable market for California's agricultural products.

**Inspection and Compliance.** RCRC supports funding for the operation of all state and national border inspection stations and monitoring of pesticides and pests in order to assure a safe, fair and equitable marketplace for California's agricultural industry.

**Right-to-Farm.** RCRC supports responsible local right-to-farm ordinances designed to permit and protect the rights of agricultural producers to engage in necessary activities without undue or unreasonable restrictions.

## **CLIMATE CHANGE**

In 2006, California established official state policy on climate change via the California Global Warming Solutions Act of 2006, also known as Assembly Bill 32. In 2008, California began working on the California Climate Adaptation Strategy, which addresses the possible effects of climate change and California's strategies to diminish the effects on California's population. While there are scientific uncertainties with respect to the causes and effects of climate change, RCRC recognizes the need to respond to California's climate change policy, while also



encouraging reduction of greenhouse gas (GHG) emissions and mitigation of possible climate change effects where cost-effective and technically feasible.

**State and Local Agency Coordination.** In recognition of the fact that reducing GHG emissions and climate adaptation will require the efforts of multiple state agencies, RCRC supports a coordinated effort between the various state agencies to avoid duplicative rulemaking processes.

RCRC also supports the formation of stakeholder advisory committees to lend practical expertise to state agency working groups during the development of multi-agency regulations and voluntary programs. Because every community has different needs, involvement of a variety of stakeholders including local governments, is vital to ensure that the State avoids a “one size fits all” approach when adopting regulations and establishing programs to mitigate the effects of climate change.

RCRC believes that it is the State’s responsibility to reach out to rural communities to promote and educate stakeholders during the development and implementation of statewide GHG emissions reduction measures. When individual rural communities are affected, the State should conduct workshops in those communities to provide opportunities for public input and to take comments on the State’s GHG policies.

**Land Use Authority.** RCRC supports the development of technical guidelines by the Office of Planning and Research that set specific, quantifiable GHG emissions standards for the California Environmental Quality Act (CEQA) and general plan documents.

RCRC believes that the development of state and federal assistance programs to provide data, methods, and financial support to help determine and quantify GHG emissions is vital for local governments to be able to address climate change in CEQA and general plan documents.

RCRC opposes any legal, legislative, or regulatory action which uses climate change policy as a vehicle to restrict or remove local land use authority.

RCRC supports a collaborative process between state and local agencies in the development of all climate change adaptation strategies related to land use decisions. The State should have the responsibility to identify possible strategies for its own agencies’ use and for voluntary use by local or regional agencies.

**Green Industry.** RCRC recognizes the potential for growth of green industry in California, and supports the continuation of existing incentives, and the creation of new incentives for those organizations to build new operations in areas with the highest rates of unemployment.

**Incentive-Based Programs.** RCRC supports the development of state programs that offer incentives to entities that voluntarily reduce GHG emissions and implement climate adaptation programs including grants, loans, offsets, early action credits and market-based credits trading programs. RCRC believes the State should recognize and offer special incentives to industry sectors that have already made significant GHG emissions reductions. RCRC supports free allocation of credits in market-based systems to smaller entities that may not be able to compete with large entities in an auction-based structure.

**Public Health.** RCRC supports a strong emphasis by the State on the important role of local and state public health departments in possible climate adaptation strategies. The State should provide fiscal and policy support to public health departments to ensure their ability to expand and advance to meet the potential needs of a changing climate.

**Monitoring and Reporting.** RCRC supports the development of GHG monitoring and reporting protocols through an open, transparent public process. RCRC opposes mandatory reporting for sectors that have been shown through the state emissions inventory to represent net GHG sinks.

**Regulatory Compliance.** In anticipation that the costs for GHG regulatory compliance will be disproportionately high in rural areas of the state, RCRC encourages flexibility for economically disadvantaged and rural areas in state regulatory programs including exemptions and tiered compliance schedules based on appropriate, regulation-specific parameters. RCRC believes that a State financial assistance program is imperative to enable local agencies to comply with GHG regulations.

**Greenhouse Gas Capture and Sequestration.** RCRC supports scientific studies that examine the benefits of carbon sequestration and methane gas capture projects. RCRC supports the development of broad, scientifically-based methods of accounting for carbon storage in sequestration projects including agriculture and forestry projects, and methods of accounting methane gas capture at landfills. RCRC supports programs that offer early action credits and offsets for GHG capture and sequestration projects.

**Forest Carbon.** RCRC supports the development of comprehensive and cooperative federal and state programs and strategies to reduce carbon emissions from forested lands, and preserve forest carbon sequestration. RCRC supports the development of a complete forest carbon inventory, as well as immediate fuels management and fire prevention projects as a vital component of the State's climate adaptation strategy. Coordination between federal, state and local agencies is critical to the mitigation of wildfires.

**Tribal Gaming Compacts.** Recognizing the potential expansion of tribal gaming facilities and anticipating the renewal of current gaming compacts, RCRC

encourages the inclusion of GHG mitigation strategies in all new and renegotiated tribal gaming compacts.

**Cap-and-Trade.** Recognizing that the Cap-and-Trade program has collected hundreds of millions of dollars in revenue from utilities during the auction process and through the sales of transportation fuels, RCRC supports an equitable distribution of those funds back to ratepayers.

RCRC also supports using funds from Cap-and-Trade auctions for projects that will both reduce GHG emissions and benefit disadvantaged communities. In particular, RCRC supports using the proceeds to fund innovative transportation projects, fuels reduction, forest restoration, agriculture, organics processing infrastructure biofuels utilization, land use projects, and residential woodstove replacement programs, as well as utilizing these funds for State subvention funding to counties for the Williamson Act. RCRC supports the use of these proceeds on private, local, state, and federally owned and managed lands.

RCRC opposes the use of the California Communities Environmental Health Screening Tool (CalEnviroScreen) to identify “disadvantaged communities” for the purposes of allocating Cap-and-Trade funds. The CalEnviroScreen tool is flawed and excludes many rural communities that would be included as “disadvantaged” under other methodologies (such as the one outlined in the Public Resources Code). RCRC supports the development and expansion of Cap-and-Trade funding programs specifically targeted at rural communities.

## **COUNTY OPERATIONS**

Although RCRC member counties comprise more than 55 percent of California’s land mass, less than ten percent of California’s population resides in these counties. Low population, geography, and distance present rural counties with unique challenges in providing services. Consequently, requirements imposed by the State on county operations can have a significant and often disproportionate impact on rural counties.

## **CALIFORNIA BUILDING STANDARDS CODES**

The California Building Standards Code, California Code of Regulations, Title 24, consists of twelve parts. By statute, the California Building Standards Code is based upon the newest national model codes published by various independent code-developing bodies and organizations. The California Building Standards Code is subject to an administrative rulemaking process administered by the California Building Standards Commission (CBSC). Every three years, the CBSC reviews the most recent national model codes during their triennial update cycle of the CBSC. Once adopted by the State, these building standards become the minimum standards throughout the state. Local jurisdictions have the authority to adopt stricter or alternative standards with the same effect.

**New Building Code Standards.** With California's diverse geography, topography, climate, weather, conditions of general development and other environmental and economic factors, RCRC supports more flexible local variations to code requirements and their implementation. RCRC supports tailoring regulations and requirements to local conditions.

**Increased Building Costs.** Building costs can be disproportionately higher in rural counties due to geography, low population density and lack of resources. Bearing the cost of new regulations can be especially burdensome for rural counties. RCRC supports the ability of a local jurisdiction to delay implementation of costly new code requirements in rural areas in order for the requisite infrastructure to become cost effective and readily available.

## **ELECTIONS**

**Election Costs.** RCRC supports timely reimbursement of county costs associated with complying with the provisions of the federal Help American Vote Act (HAVA). RCRC also supports state reimbursement to counties for conducting special elections called by the Governor.

**Electronic Voting Machines.** RCRC supports expeditious certification of electronic voting machines by the Secretary of State so that counties will be in compliance with federal and state law and the integrity of conducting an election is maintained. The federal HAVA requires counties to use voting machines that allow individuals with disabilities to vote unassisted.

**Vote by Mail.** Two of California's rural counties (Alpine and Sierra) currently enjoy the ability to conduct all of their elections by mail. Many other RCRC member counties have a large percentage of their electorate casting ballots via mail. In 2016, the Legislature enacted Senate Bill 450 (Allen) which allows counties, via action by their respective Boards of Supervisors, to choose to conduct all of their elections via mail, provided a number of criteria are met – voting centers are established, ballot drop-off locations are made available, etc.

RCRC supports expanding the ability of counties to conduct all of their elections via all-mail balloting. In the event a county does not choose to conduct all of their elections under the SB 450 model, recently-enacted legislation – Assembly Bill 2686 (Mullin) – allows these counties, at the discretion of the Board of Supervisors to conduct any special election for the House of Representatives and the Legislature via all-mail balloting.

## **EMPLOYEES**

**County Workforce Responsibilities.** RCRC opposes legislative proposals that supersede and interfere with the constitutional duties of county Boards of Supervisors to provide for various terms of employment for their county workforce.

**Collective Bargaining Process.** The Meyers-Milias-Brown Act specifies the process for local governments to use in collective bargaining with represented

employees. RCRC believes the current collective bargaining process is more than adequate to ensure that employees' rights are protected in both the bargaining process and the employment terms secured under labor contracts. As such, RCRC opposes:

- Binding arbitration for public employee wage and benefit disputes where no appeals of an arbitrator's final decision is allowed;
- Mandatory mediation as requested by one or more party when an impasse is reached;
- Mandatory fact-finding or an expanse of mandatory fact-finding to issues outside the immediate scope of an impasse; and,
- State mandates for the establishment of "ground rules" for the local bargaining process.

**Medical Marijuana in the Workplace.** The federal Drug Free Workplace Act of 1998 requires federal grantees and contractors to certify that they maintain a drug-free workplace and inform employees that it is unlawful to use and/or possess a controlled substance (including marijuana as cited in the federal Controlled Substances Act) in the workplace. Failure to adhere to the federal Drug Free Workplace Act could lead to a loss of a variety and extensive amount of federal monies. Absent any change in either the Drug Free Workplace Act or the Controlled Substances Act, RCRC opposes state efforts that would make it unlawful to hire, fire and/or base a promotion or demotion on a person's status as a user, qualified or otherwise, of medical marijuana. RCRC believes such state efforts compromise a county's position as employers and would lead to extensive litigation by employees that are using marijuana within the confines of state law.

**Outsourcing.** Counties, like other public agencies, are faced with enormous cost pressures and often have limited revenue opportunities associated with delivering certain services. In order to provide many of these services, counties must have a variety of options to ensure the service is delivered and can fit within budget structures. One option is to rely on a private vendor, commonly referred to as "contracting-out" or "outsourcing." RCRC opposes limitations on county governments' ability to outsource municipal services to the private sector.

**Public Employees' Retirement.** RCRC supports efforts to reform pension benefits administered by the California Public Employees' Retirement System (CalPERS) and other California public pension systems that would help protect the long-term solvency of California's public pension systems and local entities while maintaining competitive pension benefits for county employees.

RCRC supports preservation of the exemption for elected officials from reinstating in their respective public pension systems including CalPERS. RCRC opposes efforts that would force locally-elected officials to choose between receiving compensation for their service as a county elected official and maintaining their current retirement benefit.

**Workers' Compensation.** RCRC supports the preservation of reforms enacted to the workers' compensation system in 2004 and 2012 to further reduce premiums, minimize costs, manage claims, and insure that injured workers are properly compensated and able to return to work in a speedy manner.

## **MEDICAL MARIJUANA**

The issue of medical cannabis regulation is of great importance to California's counties. In the last several years, there has been a dramatic proliferation of marijuana cultivation, and the scale and volume of individual grow sites has enlarged. In 2015, the Legislature enacted a comprehensive licensing and regulatory framework for commercial medical cannabis. The package addressed RCRC's four key policy concerns:

- Preserving local control;
- Providing explicit county taxing authority;
- Ending collective model – putting in place strict licensing requirements; and,
- Addressing environmental impacts.

In addition, the package addresses:

- The ability to have policies restricting the use of marijuana by employees;
- The power to collect fees associated with local medical marijuana licensing and regulatory activities;
- Prohibitions on the cross-ownership of licenses;
- The allowance of appellation verification statements to be permitted (“branding”); and,
- The restriction on licensees for previous criminal convictions and a strong revocation process for violations of corresponding state medical marijuana laws.

RCRC opposes any effort – in the Legislature, the regulatory process, and/or the statewide initiative process – that weakens, eliminates or compromises the implementation of these policies.

The regulatory framework places a number of responsibilities with regulating agencies, including the Bureau of Medical Cannabis Regulation and the Department of Food and Agriculture. These include the development of cultivation standards including a unique identifiers/track and trace program; detailed transportation standards; pesticide-use standards; and statewide limits on the number of large cultivation sites.

RCRC recommends the following be included in the implementation of the regulations:

- As a condition of issuing a State license, an applicant must demonstrate a local jurisdiction's approval – via a certified copy of documents – to operate within the local jurisdiction's borders;

- The establishment of uniform standards for the potency of medical marijuana products;
- Ensure the state properly and fully enforces the statutory and regulatory aspects of the scheme for those who are non-compliant, and in the case where this falls upon locals, adequate state reimbursement must be made;
- Proper labeling of THC levels and other products used for cultivation;
- Proper State enforcement of worker and worker safety standards;
- Assurance that no new state law or regulation grants any new “rights” relating to medical marijuana activities;
- Attention to the issue of tax compliance and enforcement, including assuring effective enforcement mechanisms for local tax obligations;
- Efforts at both the state and federal level to allow for and make available banking and other financial services to cannabis operators in order to minimize the use of cash; and,
- Statewide enforceable standard of what constitutes driving while impaired.

**State Oversight Board.** Any state board with oversight or advisory responsibilities relating to medical marijuana must include in its composition several rural county supervisors and/or rural county representatives in order to reflect the unique issues that occur in the cultivation of marijuana in rural areas.

**Environmental Enforcement.** Despite the best efforts of counties to utilize their operational and/or land use authority, counties lack the tools, resources, and legal authority to fully address the environmental degradation that is occurring with unregulated grows – the negative impact on water quality and water supply, the destruction of habitat, and the improper use of pesticides/fertilizers, among others, is rampant. RCRC believes that environmental damage must be addressed by a variety of State agencies including, but not limited to the, Board of Forestry, the California Department of Fish and Wildlife, Regional Water Quality Control Boards as well as other traditional state law enforcement agencies (i.e. California Highway Patrol, Department of Justice). RCRC supports a requirement that State environmental agencies coordinate with local government to ensure uniform application in enforcement efforts.

**Federal Lands.** Addressing all of the regulatory, public safety, and environmental issues on lands managed by the United States Forest Service, the National Park Service, and the Bureau of Land Management presents a set of challenges that exceed those found on State and private lands. Failure to adequately address cultivation on federal public lands will marginalize the work on State and private lands. RCRC supports efforts by federal land management agencies to properly manage and eradicate the illegal growing of marijuana on public lands and encourages federal agencies to actively work with State and local enforcement entities to achieve this objective.

## **PUBLIC SAFETY**

**Safe and Secure Local Detention Facilities.** The role of county detention facilities has drastically changed since the enactment of criminal justice

realignment (Assembly Bill 109) in 2011. County jails now house a variety of criminals previously sentenced to State prison. This shift requires local detention facilities to now be reinforced to house more high-level offenders, to include facilities for rehabilitation and alternative treatment programs, and to ensure that facilities meet all accessibility, safety, and security standards under the law. Prior to 2011, many counties had mandatory population caps on the number of inmates being housed or serving time in county detention facilities. Enactment of AB 109 exacerbated the problems associated with county facilities where the population demands exceed capacity and programming space available. Further, many local detention facilities have exhausted their lifespan and are in dire need of rehabilitation and/or major reconstruction.

The State has created several jail construction programs to provide financial assistance to counties to construct new or rehabilitate existing local facilities. RCRC supports further State efforts to provide a funding mechanism and/or funding sources that assist to these efforts. Many rural counties have challenges meeting State-match requirements; therefore, RCRC supports flexible and innovative financing options to address county financial hardships. RCRC also supports establishing funding streams that provide rural counties the ability to compete for State funds within low-population groupings.

**Certified Unified Program Agencies.** RCRC continues to support financial incentives for rural counties to operate Certified Unified Program Agencies (CUPAs). These incentives include reimbursement of local costs incurred in operating a CUPA so that businesses in rural counties do not pay disproportionately high fees compared to other areas of the state. RCRC also supports the reduction of non-essential reporting by CUPAs and a reduction in State administrative fees. In the event the State retains the administration of a local CUPA, the State should adequately reimburse counties, in a timely manner, for any costs the county incurs providing services during the absence of CUPAs.

**Emergency Medical Services.** The State Emergency Medical Services Authority (EMSA) is responsible for establishing standards for the training and scope of practice for emergency medical technicians (EMTs). These standards and regulations are applicable to local governments, agencies, and other organizations that provide this training. State law also provides for the certification of EMTs through local EMSAs, which are designated by counties. With few exceptions, RCRC counties meet these statutory requirements through participation in Local Emergency Medical Services Agencies (LEMSAs) through participation in multi-county Regional Emergency Medical Services Agencies (REMSAs). In most counties, at least one supervisor serves on a REMSA Board of Directors and has an important role in the governance of REMSA activities. To promote uniformity throughout the state, the EMSA provides an allocation of State General Fund dollars to REMSAs. RCRC supports adequate and continual State General Fund support for the REMSAs to ensure uniform levels of emergency medical care are available to residents and non-residents of rural areas. RCRC believes that rural county supervisors must directly participate in any EMSA proposal affecting the



delivery of emergency medical services regardless if the county is serviced by a single county LEMSA or a multi-county REMSA.

**Illegal Drugs – Methamphetamine.** The production and use of methamphetamines continues to be a serious problem in rural counties. Consequently, counties - especially rural counties - must deal with the costs of law enforcement, environmental cleanup, and treatment and rehabilitation related to methamphetamine use. Additionally, methamphetamine use has a direct effect on safety and quality of life in a community. RCRC supports funding from federal and State sources to help counties combat methamphetamine production and provide services for recovery.

**Butane - Honey Oil.** RCRC supports State legislation and regulations that will help counties address the proliferation of non-commercial Honey Oil manufacturing. RCRC supports the adoption of regulations under the recently-enacted Medical Marijuana Regulation and Safety Act to restrict the production of Honey Oil to only those entities that are fully licensed. Additionally, RCRC supports innovative policies to: restrict sales/or the quantity of sales of butane; provide resources for environmental cleanup associated with illegal Honey Oil production; put forth rules for both the residential and commercial storage of items used in the manufacturing process; and enacting butane canister retail take-back programs to avoid disposal into municipal landfills and recycling facilities.

**Volunteer Firefighting.** RCRC strongly supports the right of counties to utilize volunteer firefighters and volunteer fire departments as the official structural fire protection resource for any areas within their counties. RCRC recognizes the importance of volunteer firefighters and volunteer fire departments and opposes any legislation or changes to regulations that would disadvantage any county that utilizes volunteer units. RCRC supports the current system that enables volunteer fire departments to be created and operated independently, without direct control or oversight from the county. Additionally, RCRC supports the usage of volunteers as part of a mutual aid system, and encourages State and federal firefighters and land management agencies responsible for firefighting to recognize local volunteer firefighters as partners. Finally, RCRC supports existing policy that within the context of the State Responsibility Area fee, those residents covered by volunteer fire departments qualify for any discounts available to those who have local structural fire protection.

**Pretrial Programs and Services.** Recent reforms through criminal justice realignment in 2011 have placed an increased number of offenders in the local jail system. According to the most recent data available by the Public Policy Institute of California, as of September 2014, roughly 62 percent of beds were filled with inmates awaiting trial or sentencing. To address long-term jail capacity issues, RCRC supports providing counties and public safety stakeholders additional resources and flexibility for managing their pretrial detainee population.

## ECONOMIC DEVELOPMENT

Economic development in rural counties encompasses a broad range of RCRC ideals including ensuring adequate and affordable housing finance options, maintaining county control of land use planning, protecting the agriculture, forestry, manufacturing industries, and small to medium-sized businesses from damaging budgetary, legislative, or regulatory changes, improving infrastructure such as transportation corridors, telecommunications, and high-speed broadband deployment, maintaining and growing tourism, constructing and upgrading water and sewer networks, and supporting advances in alternative energy such as solar, biomass, geothermal, and municipal energy-to-waste electrical generation.

**Film Industry.** California's diverse weather, variety of landscapes, scenic beauty, skilled workforce/talent and world-class production facilities draw the interest of filmmakers from across the country and around the world. The majority of RCRC's member counties maintain film commissions or offices that provide localized support and assistance to filmmakers with permit applications and detailed location searches. RCRC supports State and local efforts to promote filmmaking in California's rural areas.

**Incentives.** RCRC supports State and federal incentives as a stimulus to job growth and economic improvement within our communities. However, RCRC believes in balancing these incentives with the importance of ensuring county revenue from sales and property taxes, and preserving a county's right to plan and site new growth and development within its jurisdiction. Additionally, RCRC supports a county's right to maintain maximum flexibility and autonomy over the allotment and expenditure of any incentive dollars and exemptions, where appropriate, to matching fund requirements for economically disadvantaged communities.

**Military Presence.** RCRC recognizes the importance of the defense industry to California's economy and particularly to the counties in and around where military bases are located. Between direct spending and the positive multiplier effect on local businesses through the spending by those military personnel and their families who live in the counties surrounding a military facility, California's military presence accounts for tens of billions in spending and hundreds of thousands of military and civilian jobs.

RCRC encourages lawmakers to recognize the impact base reductions or closures will have on the local economies of the small and rural counties that rely upon these bases as a financial driver for their communities. Additionally, RCRC encourages policy and lawmakers to provide avenues and incentives for local governments to revitalize former military facilities to enhance local economic opportunities.

**Technology.** RCRC supports ensuring that new technologies are available in rural counties to enhance economic growth. From new biomass, solar, wind and geothermal power generation facilities, to high-speed broadband deployment,

distance learning, telemedicine and the creation of centers of innovation, new technologies are critical to the economic health and growth of rural California. RCRC supports proactive policies that are created to make these and other new technologies available and accessible to rural residents.

**Tourism.** Millions of travelers from around the globe are attracted to rural California's natural beauty, colorful history, and variety of year-round recreational activities. In 2015, California's tourism generated \$122.5 billion, which directly supported 1,064,000 jobs. Additionally, travel spending in 2015 generated \$4.6 billion in local tax revenue, and \$5.3 billion in state taxes. RCRC supports and encourages the promotion of rural California as a travel destination, and supports appropriate funding for the infrastructure and service demands created by the influx of visitors such as emergency medical services systems, highway construction and maintenance, and telecommunications.

**Small Business and Entrepreneurialism.** Small communities are heavily reliant on small businesses and manufacturers for local employment, revenue generation, access to goods and services, and quality of life. Small businesses, entrepreneurs, and small manufacturers are a primary source of economic growth and job creation, and are of particular importance in rural communities with few large employers. RCRC opposes policies, regulations and strategies that negatively impact small to medium-sized businesses in rural areas, which are often the cornerstone of these communities. The imposition of excessive fees, health insurance requirements or other statutory or regulatory action that disproportionately affect small to medium-sized businesses has the potential to destroy local industry and commerce, and thus deprive rural areas of jobs, services and opportunities for prosperity.

**Workforce Innovation and Opportunity Act.** In 2014, Congress enacted the Workforce Innovation and Opportunity Act (WIOA) to reauthorize and modernize the Workforce Investment Act (WIA) of 1998. The WIOA assist states with job training, education, and employment investments. In addition to State-level oversight, local individuals (including elected officials) form local Workforce Investment Boards (WIBs) to plan and oversee the workforce investment system at the local level. The local efforts are often reflected through California's system of American Job Centers, which employers and job seekers access for career information, job counseling, job training, education, and other related employment and job training services. Monies used by local WIBs are primarily derived from federal dollars and must be expended under federal guidelines and State statutes.

Rural counties have unique employment situations and factors as compared to other parts of the state. RCRC supports State and federal efforts that preserve as much local flexibility as possible to ensure the appropriate employment and job training programs match the needs of local employers and job seekers.

RCRC advocates for workforce development policies and programs that provide job seekers the skills they need to compete in the global economy and businesses with

the skilled workforce to maintain and grow their competitive edge. RCRC supports business-led local WIBs governed and supported by local elected officials and local leaders, the use of demand-driven and data-driven strategies within regional economies and labor markets, and access to employment opportunities, career counseling, and job training programs and services through American Job Centers.

RCRC opposes proposals that negatively impact and burden rural small businesses. RCRC encourages flexibility for disadvantaged communities and rural areas in State regulatory programs and legislative approval of State regulatory agency fees.

## EDUCATION

Rural areas face unique challenges in providing access to a high quality education for all students. These challenges include low student density, long travel distances and challenging geography to access educational facilities, limited opportunities for vocational or elective courses, as well as weather and transportation issues. Additionally, there are fewer teachers in rural areas, which results in a limited scope of educational opportunities such as career training courses. RCRC advocates for increased investment in new programs that foster innovation and help prevent youth from these communities from being forced to move to urban areas to receive job training. This is critical because few who move away for skilled training or education ultimately return to rural areas.

**Access.** RCRC supports continued changes to State policy, allowing for increased access to “concurrent enrollment” (being enrolled in high school and community college classes at the same time) as one opportunity for rural students to access courses such as higher-level math or science classes and vocational education courses that may not otherwise be available through their local schools. RCRC also supports increasing the utilization of distance learning to improve educational opportunities in rural areas. Professors, licensed instructors, and credentialed teachers that communicate with pupils via interactive television, online courses and other appropriate means of technology have the ability to significantly broaden the scope of education opportunities available to California’s rural students.

**Community Colleges.** RCRC supports community colleges receiving their full-share of State funding. Community colleges play a key role in educational opportunities in rural counties, particularly in the area of vocational education and training. RCRC supports stable and consistent funding for grant programs that fund job training programs and changes to current law to allow community colleges to grant bachelor’s degrees in certain subject areas, which would significantly help students who reside in rural areas where there are no California State University or University of California campuses.

**California State Universities and University of California.** RCRC supports keeping public higher education affordable and accessible to students from rural, and often economically depressed, areas.

**School Transportation.** Home-to-School Transportation (HTST) plays a necessary role in ensuring student safety and accessibility to education. RCRC strongly supports the continued funding of HTST and will work to ensure that State reimbursement rates for services in rural areas are sufficient to meet the need. Students in rural areas travel longer distances in more difficult terrain and weather than many of their urban and suburban counterparts, and the funding should reflect these potentially increased costs. RCRC supports restructuring the current system of HTST to better allocate this funding based upon need rather than antiquated formulae that no longer reflect the requirements of many districts. Additionally, RCRC supports creating a system of funding that would stabilize the funding for HTST.

## ENERGY

California continues to face challenges to ensuring adequate electricity supply and meeting its renewable portfolio standard goals. Rural counties support the use of alternative and renewable sources of energy including solar, wind, biomass, hydroelectric, and geothermal. Rural counties also support increased incentives and a streamlined permitting system to encourage the development of new generation facilities.

Additionally, RCRC acknowledges that an increased focus on clean energy, energy efficiency programs, and the development of new forms of energy generation at the State and federal levels create an opportunity for new jobs and economic development in rural areas.

**Biomass.** RCRC supports incentives that would encourage biomass-to-energy usage including the creation of more opportunities for biomass co-generation in rural counties through State and federal legislative and regulatory changes. RCRC supports the continued operation of existing biomass facilities and supports the extension of current biomass contracts to keep those facilities open. RCRC supports the use of forest as well as agricultural biomass at conversion facilities, and supports usage of woody biomass from areas disproportionately impacted by tree mortality. RCRC supports having forest materials removed from timber and scrublands and being put to their highest and best use, and where possible, any revenues derived from this removal being used to offset the cost of biomass utilization and transport. Further, RCRC supports the broadest possible definition of biomass for use in any renewable energy standard at the State or federal levels. This definition should include material taken from any source including public lands. RCRC supports a full life cycle analysis when determining the air quality standards for biomass power generation plants. RCRC supports the use of biomass for wildfire, tree mortality, and bark beetle infested wood waste, and the expedited process needed to meet the timelines associated with it.

**Land Use Authority.** RCRC supports the ongoing recognition by State and federal agencies of a county or other local government's authority to exercise land

use authority over commercial-scale energy projects, whether renewable or traditional, and the related infrastructure including the issuance of conditional use permits and other discretionary actions. Additionally, RCRC supports clarification of existing law to eliminate confusion relating to the jurisdiction of the California Energy Commission (CEC) and the jurisdiction of local governments over non-thermal power plants.

**Mitigation Measures.** RCRC recognizes the CEC’s sole authority for permitting certain renewable energy power plants. However, RCRC supports efforts to require the CEC to give “due deference” to impacts and recommended mitigation measures identified by the county in which a power plant is proposed for inclusion in the CEC’s proposed conditions of certification for the project.

**Nuclear Power.** Nuclear power should be considered part of the solution for improving California’s ability to generate reliable, affordable, and clean energy, so as to benefit California’s consumers, the economy, and the environment.

**Rebates and Tax Exemptions.** RCRC supports and recognizes the importance of State incentives in the placement of new renewable power generation facilities. However, these incentives should not be detrimental to county or other local government revenue streams. A county’s ability to tax commercial-scale renewable energy projects must be preserved.

**Renewable Portfolio Standard.** RCRC supports recognition of hydroelectric power as a component under the renewable portfolio standard. Large hydropower generation – over 30 megawatt of generation capacity - should also be recognized as a renewable energy source.

Additionally, RCRC supports a broad definition of renewable biomass that includes a variety of plant-based material removed from various sources including agricultural lands and timber lands regardless of whether the land is under private or public ownership. RCRC also supports including the utilization of municipal waste as a qualified source of renewable energy in any renewable portfolio standard.

**Transmission Corridors.** California has adopted energy policies that require substantial increases in the generation of electricity from renewable energy resources. Implementation of these policies will require extensive improvements to California’s electric transmission infrastructure. While RCRC supports planning for future transmission needs, RCRC opposes the preemption of local land use authority in connection with State or federal designation of transmission corridors.

## ENVIRONMENTAL QUALITY

State regulatory agencies often develop programs based on a “one size fits all” approach that fails to recognize realities in different locations of the state. Environmental quality compliance costs can be disproportionately high in rural counties because of geography, low population density, and fewer available resources. Bearing the cost of these regulations can be especially burdensome for rural counties.

RCRC strives to reduce or prevent unnecessary regulatory requirements while promoting practical and cost effective environmental quality practices that reflect the actual threat to the environment. RCRC supports prioritizing environmental inspections, compliance reporting, and regulatory enforcement activities that are consistent with the need for environmental protection and the preservation of public health.

### AIR QUALITY

**Air District Boards.** RCRC supports the establishment of policy by local Air District Boards. RCRC opposes the placement of State appointees on local Air District Boards.

**Emission Standards.** RCRC supports extending the compliance date in rural counties for retrofitting and replacing on-road and off-road vehicles and equipment. RCRC supports exemptions and extensions for rural counties that do not have the resources to meet regulatory requirements and encourages financial assistance from the California Air Resources Board (ARB) to foster compliance. RCRC supports tailoring regulations to address the quantity of emissions actually generated in rural counties.

Currently, many rural counties only receive the minimum Carl Moyer funding, which is inadequate to fund the number of vehicles and equipment subject to ARB regulations. RCRC supports an increase in funding for the Carl Moyer Program for rural counties without the requirement for match funding.

**Land Use Authority.** RCRC opposes any new statewide air quality standards that restrict county land use authority.

**State Ambient Air Quality Standards.** State law requires the Air Resources Board (ARB) establish and periodically review State ambient air quality standards (SAAQS). These standards define the maximum level of a pollutant that can be present in outdoor air considered safe for the public's health. Many of our rural counties experience nonattainment for ozone due to downwind transport from the upwind urban areas. While RCRC supports not applying upwind and more restrictive regulations on the downwind transport-impacted counties, RCRC also encourages ARB to exercise its authority to ensure that the State Implementation Plan includes sufficient control strategies to attain the SAAQS in all parts of California including areas impacted by intrastate transport of air pollution.

## ENVIRONMENTAL IMPACT ASSESSMENT

**California Environmental Quality Act.** Counties, as “lead agencies,” conduct the California Environmental Quality Act (CEQA) review required for both public and private projects. Counties, therefore, have a unique and critical perspective on CEQA. The misuse and abuse of the CEQA process to delay or unduly stop potential projects wastes scarce public resources that would otherwise fund essential public programs and services.

RCRC supports efforts to streamline the CEQA process to strengthen the certainty of required timelines. RCRC opposes limiting or reducing the authority provided to lead agencies under CEQA. RCRC supports facilitation of early agency and public participation in the CEQA process to allow the lead agency and project proponents to more fully address environmental concerns resulting from a proposed project and to facilitate preparation of a legally adequate environmental document.

RCRC supports legislation that limits the circumstances under which a challenge for noncompliance with CEQA can be filed, eliminates awarding of attorney’s fees to the plaintiff in CEQA challenges, and specifies that a lead agency does not have a duty to consider, evaluate, or respond to comments received after the expiration of the CEQA public review period. RCRC opposes CEQA-related legislation that would make it more difficult for rural counties and rural residents to access the court system.

**Disadvantaged Communities.** There are numerous disadvantaged and severely disadvantaged communities (DACs) throughout the state, in rural, suburban, and urban areas alike. RCRC supports state and federal funding for DACs to meet their needs for a variety of projects such as water infrastructure, transportation, waste diversion and recycling, and forest and watershed health programs. RCRC supports a definition of DACs that addresses the unique needs and make-up of DACs located throughout the state, such as the Public Resources Code 75005 which describes a “disadvantaged community” as a community with a median household income less than 80% of the statewide average, and a “severely disadvantaged community” as a community with a median household income less than 60% of the statewide average.

RCRC is opposed to the sole use of the California Communities Environmental Health Screening Tool (CalEnviroScreen) to define DACs for the allocation of Cap-and-Trade auction proceeds, or any other statewide funding programs. CalEnviroScreen is flawed, and excludes many rural communities that would be included as “disadvantaged” under other methodologies (such as the one outlined in the Public Resources Code). Specifically, CalEnviroScreen eliminates around half of the state’s 58 counties that do not have a census tract in the top 25



percent of the tool. RCRC supports the development and expansion of Cap-and-Trade funding programs specifically targeted at rural communities.

**California Communities Environmental Health Screening Tool.** The California Environmental Protection Agency and the Office of Environmental Health Hazard Assessment released a tool in 2013 to screen the environmental health of California's communities. The California Communities Environmental Health Screening Tool (CalEnviroScreen) model uses existing exposure, environmental, health, sensitive population, and socio-economic data on a geographic basis to create and compare the cumulative impact scores of environmental pollution for the state's communities. The stated intent of the tool is to provide State and local decision-makers with information that will enable them to focus their time, resources, and programs on those portions of the state or jurisdiction that are most in need of assistance. RCRC opposes the use of the CalEnviroScreen tool as a substitute for a focused risk assessment for a specific area or site, or as the basis for any regulatory, permitting, or land use decisions or studies. RCRC also opposes using CalEnviroScreen results as the sole determination of "disadvantaged communities" for any funding or regulatory program.

**National Environmental Policy Act.** RCRC supports a reassessment of the National Environmental Policy Act (NEPA) effort to streamline the environmental review and permitting process, and federal policies that establish reciprocity between NEPA and State environmental laws and regulations, such as CEQA. RCRC supports an expedited NEPA analyses process for categories of projects where experience demonstrates that such projects do not result in a significant impact to the environment, such as forest health and watershed restoration projects, particularly after wildfires. RCRC also supports increasing opportunities for local involvement and changes that provide greater weight to local economic impacts and comments.

**Regulatory Reform.** RCRC supports State and federal agency review of all existing and proposed regulations, as well as quasi-regulatory actions such as permits, policies, and guidance documents. State and federal regulatory agencies should consider the costs and benefits associated with public and private sector compliance, as well as the cumulative impact of all existing and proposed regulations and quasi-regulatory actions on regulated entities. RCRC supports changes to the law that would require more in-depth analysis of the fiscal impact of new regulations to rural areas and reduce the overall financial impact threshold before such fiscal analysis is required for all new regulatory actions.

## **WASTE MANAGEMENT AND RECYCLING**

**Disposal Bans.** RCRC supports advanced statewide planning and infrastructure for convenient identification and recovery of all materials and products prior to banning from California landfill disposal or requiring separate handling or processing. RCRC maintains that manufacturers and retailers must actively contribute to establish programs to cover the costs for disposal, recycling, special

handling, and/or any public education required for their end-of-life products, before any such disposal bans are implemented.

**Extended Producer Responsibility.** RCRC supports producer responsibility for financing and arranging the collection and recycling of their products at end-of-life. Producer responsibility removes the financial burden from local governments and makes recycling a cost of doing business. Placing the responsibility with manufacturers/retailers will additionally provide incentive for products to be redesigned in a manner to eliminate or reduce their impact, and to increase their recyclability. RCRC prefers producer responsibility through product take-back by the manufacturers/retailers. RCRC will consider the reasonable use of Advanced Recycling Fees and Advanced Disposal Fees.

**Electronic and Universal Waste.** RCRC supports the proper disposal of electronic and universal waste through programs that place the cost of compliance on manufacturers and consumers rather than on county-operated landfills or waste management programs.

**Jurisdictional Compliance.** RCRC supports using program-based criteria to determine jurisdictional compliance with statutory waste diversion requirements that incorporate rural considerations. RCRC opposes numerical justifications on program implementation that do not include rural considerations.

**Incentives.** RCRC favors the use of “incentive-based” policies to promote local waste diversion activities and to encourage regulatory compliance at publicly operated solid waste facilities, rather than the threat of State-imposed financial penalties. Rural considerations should be incorporated into these policies to properly reflect the costs commensurate with the impact of the regulatory effort at rural sites, whenever appropriate.

**Incentive Funding.** Recognizing that the costs for solid waste regulatory compliance are disproportionately high in rural areas of the state, RCRC supports the continuation and expansion of grant programs and funds that provide needed financial assistance to implement and maintain local waste diversion activities and support community-based household hazardous waste management programs.

**Local Control.** RCRC opposes any loss of local land use control with respect to the siting and environmental review of new solid waste collection, disposal, and processing facilities.

**Permitting.** RCRC supports “tiered” solid waste facility permitting and operating requirements with reduced administrative and operational requirements that are commensurate with the limited environmental and public health risks associated with small-volume facility operation in low-density population areas.

**Increasing Diversion/Decreasing Disposal Mandates.** State law requires municipalities divert at least 50 percent of the solid waste generated in their

jurisdiction. The California Department of Resources Recycling and Recovery (CalRecycle), which enforces this mandate, allows some rural counties flexibility in meeting these mandates through either a 'Rural Reduction in diversion requirements' or compliance through a 'Good Faith Effort.' Recent legislation now establishes a statewide goal of 75 percent of solid waste to be reduced, recycled or composted. As the State works towards the 75 percent statewide goal, RCRC believes municipalities should be given additional tools that allow them to assist in achieving the new statewide diversion goals. Such tools should include, but are not limited to, extended producer responsibility, an easing of the permitting restrictions for organic waste processes and other solid waste activities, model program guidelines, and increased funding.

RCRC recognizes that organic materials in landfills are a major contributor to methane gas production, and alternative treatment systems need to be pursued. However, any regulatory requirement needs to consider existing infrastructure and capacity, the economic feasibility of new facilities, and provide the flexibility for phasing-in various regions and areas of the state, especially in rural counties.

**Financing State Solid Waste Disposal Programs.** State law requires that \$1.40 be collected for every ton of solid waste disposed in a California-permitted landfill, commonly referred to as the "Tipping Fee." Proceeds from the current tipping fee are deposited into the Integrated Waste Management Account (IWMA) and used by CalRecycle to enforce solid waste laws, permit facilities, provide local assistance, administer programs and rulemaking, and provide grants to municipal jurisdictions to assist in the management of many solid waste products. As solid waste disposal decreases due to a number of recent events (economic factors, new recycling mandates, consumer awareness), proceeds from the tipping fee are not sufficient to sustain CalRecycle programs into the future. CalRecycle and other agencies with enforcement authority over solid waste facilities are turning to their fee authority to augment decreasing IWMA funds. A similar dynamic is occurring at the local level where local tipping fee revenues are not generating enough funds to sustain local programs including the direct management of landfills.

RCRC believes a wide range of options should be considered to reform the financing mechanisms for the management of solid waste programs. Options include: increasing the current tipping fee as a temporary measure; applying new solid waste management fees on aspects of the waste stream that currently have no levies; reforming the programs that CalRecycle manages to limit costs; or a combination of these options. Any new financing scheme should be comprehensive and lead to a stable and equitable source of funding that also assists counties in complying with solid waste management programs. Implementation of any new financing mechanism needs to consider lead time for county processing and budgeting purposes. RCRC does not support an increase in the Tipping Fee or other funding mechanisms for projects and programs that are not part of a direct effort to manage and reduce the overall amount of solid waste.

**Alternative Daily Cover.** State and federal law require that the working face of landfills be covered at the end of each working day with dirt, tarps, or “alternative daily cover (ADC),” such as shredded automobile fluff or green waste. For many rural counties, green waste is the preferred ADC. Commencing January 1, 2020, state law will provide the use of green material as alternative daily cover does not constitute diversion. RCRC strongly supports preserving the use of green waste materials for ADC as a viable option, and does not support having the Tipping Fee apply to green waste materials that are used as ADC under the current fee structure.

## FEDERAL AFFAIRS

Many actions taken by the federal government - both in Congress and within Administrative agencies - have a direct impact on rural areas, especially those counties in California that contain large amounts of federal land. RCRC is committed to working with members of Congress and our agency partners to develop legislative and regulatory policies that complement local and state policy, funds vital county and state programs, and do not preempt local and state authority.

**Federal Funding.** Many county and State programs rely on federal funds to survive including monies for health and social services, infrastructure, environment, public safety, and education. Long extensions and delays in the budget process cause unpredictability for these vital programs, leaving local and State officials responsible for trying to fill the funding gaps. RCRC supports the timely adoption of spending authorization efforts to ensure there is no disruption in funding vital federal programs.

**Infrastructure.** RCRC supports continued federal commitments and funding for the nation’s infrastructure including housing, transportation, water, telecommunications and natural resources. In particular, RCRC strongly supports the continued commitment of the federal government to reimburse rural counties for the loss of revenue – tax and resource generated – on federally held lands located in our counties. The continued reauthorization of full funding of the Secure Rural Schools and Community Self Determination Act (SRS) and the Federal Payment in Lieu of Taxes (PILT) program is vital to rural economies.

In addition to SRS and Federal PILT, federal laws that govern and fund vital county programs and services such as the Fixing America’s Surface Transportation Act, Federal Aviation Act, the Farm Bill, Water Resources Development Act, the State Children’s Health Insurance Program, the Patient Protection and Affordable Care Act, the Workforce Investment Act, the Telecommunications Act, annual appropriations bills, and other ongoing federal programs are critical to the continuance of a vibrant rural way of life.

**Monuments.** The designation of new national monuments is a process that currently can be done directly by the President with no Congressional oversight and no requirement for local input. RCRC supports changes to the current system so that the creation of national monuments requires the approval and/or the oversight of Congress to allow for local government and public input prior to designation.

**Natural Resources.** RCRC supports the development of a long-term comprehensive federal and state strategy to manage our federal lands to actively prevent wildfire and promote multiple-use land designations. RCRC will continue to work closely with the United States Forest Service (USFS) as they seek to develop and implement the Cohesive Strategy for addressing these issues. Additionally, RCRC supports efforts to streamline and modernize the Endangered Species Act.

**Relationship with Public Lands Management Agencies.** RCRC represents counties that have regulatory and public trust responsibilities over the natural resources in their jurisdictions. In a number of our counties, the federal government manages well over half of the land mass. RCRC supports a strong relationship with the federal government to integrate county policy into federal land management decisions to better balance conservation with economic strength and quality of life.

RCRC supports local government involvement in public land use planning decisions at the earliest possible time in order to facilitate the best possible working relationship and outcome for any decision. RCRC supports strengthening coordination efforts by public land management agencies to engage counties earlier and in a more meaningful manner in planning decisions made on public lands within their respective counties. Additionally, RCRC supports a true government-to-government role for county officials in the development of land use planning decisions for public lands within their jurisdictions. Plans for public land management should be as consistent as possible with local land use plans. When it is not possible to bring disparate plans together, the land management agencies should provide an explanation as to why the final plan needs to follow a divergent path from the local land use plans.

Lastly, RCRC encourages State agencies working with federal land use agencies to work to enhance the relationship between federal land use agencies and local governments within California, and encourages the use of tools such as the Memorandum of Agreement between the California State Association of Counties, RCRC, the Bureau of Land Management, and the USFS, or cooperating agency status as appropriate to the needs of the county, to achieve better communication between all involved agencies, and to improve outcomes for rural communities.

**Telemedicine.** RCRC strongly supports additional federal advancements, policy changes, and funding mechanisms regarding the expansion of telemedicine as a means to improve access to healthcare, especially specialty care, in rural areas.

## HEALTH AND HUMAN SERVICES

### FISCAL PARTICIPATION

Rural counties have various levels of fiscal responsibility for health and human services programs. For example, counties are required to provide health services to the indigent population of the county not covered by any other healthcare provider. In most RCRC counties, indigent healthcare services are provided through the County Medical Services Program (CMSP) which is funded by the member counties' realignment revenue. The counties share fiscal responsibility with the State and/or federal government for a number of services and programs, such as California Children's Services. Often the county role is an administrative function that should be fully reimbursed by the State and/or federal government, and program costs should be cost neutral or negligible.

**County Medical Services Program.** RCRC supports the continuation of the County Medical Services Program (CMSP). Counties have a responsibility over a residual population of those currently served by county indigent care programs through CMSP even after the shift of those newly eligible for Medicaid and Medi-Cal. It is critical to preserve the integrity of the structure of the CMSP program, and to ensure adequate funding continues to be allocated to it to meet the needs of that residual population.

**Realignment.** RCRC supports local flexibility in the administration and implementation of programs funded by realignment. RCRC supports adequate funding and appropriate distribution of realignment funds to ensure that counties can continue to meet their legal obligations for providing Health and Human Services. RCRC acknowledges that some realigned programs may be better administered and funded at the State level, and supports an evaluation of such potential transfers.

RCRC also supports full and prompt reimbursement of the State and/or federal share of social services, mental health, public health and indigent medical care program costs. RCRC believes that the State should assume cost increases associated with State-imposed program changes and expansions, as well as federal maintenance of effort mandates.

**Funding Reductions.** RCRC opposes state and/or federal funding reductions that shift responsibility for services, administration or fiscal support to rural counties.

**Health and Human Services Reimbursement.** RCRC supports prompt and complete reimbursement of county costs associated with county administration of state, federal, or shared state/ federal social services and health programs.

**Food Access.** RCRC supports innovative programs and state and/or federal financial incentives that increase food access in underserved and rural

communities. Additionally, RCRC supports policies that address food deserts and create strong regional food and farm systems.

**Poverty.** RCRC acknowledges that poverty is a statewide issue and continues to be on the forefront of policy development. Poverty rates vary widely by county and region. According to a 2013 report, *the California Poverty Measure (CPM)*, by the Public Policy Institute and the Stanford Center on Poverty and Inequality, more than half of RCRC's 35 counties had a poverty rate of 17 percent or higher. RCRC supports strategies and resources aimed at reducing California's poverty rate.

**Homelessness.** RCRC recognizes homelessness as a statewide issue and supports policy that provides State and/or federal funding and resources to local governments to address the needs of the homeless population in their communities.

**Human Trafficking.** Human Trafficking is defined as the trade of humans, most commonly for forced sex work or forced labor. A \$31 billion industry, human trafficking is the world's fastest growing criminal enterprise, and has grown profoundly in recent years, particularly in California's rural counties. RCRC supports coordination among law enforcement, victim service providers and non-governmental organizations to develop innovative strategies and response tools to help combat human trafficking. Additionally, RCRC supports resources that facilitate training and education for law enforcement, teachers and students, and other governmental entities on how to properly identify and manage occurrences of human trafficking in their communities. Specialized training of this kind is especially necessary in smaller or rural counties, which often have limited staff and access to resources.

## **HEALTHCARE**

It is important that the medical and public health services available in rural counties meet the needs of the residents and make appropriate care accessible. Due to geographic isolation and limited infrastructure availability, attracting and retaining healthcare providers in rural counties can be challenging. Rural areas are unable to utilize economies of scale to decrease costs and depressed economic conditions lead to large publicly-funded populations with low provider reimbursement rates, making recruitment and retention of healthcare providers a constant challenge. Between implementation of federal healthcare reform, realignment, and provider-rate cuts, the State and federal government must work with rural counties to develop strategies to ensure better, and prevent the loss of all, access to medical services for these critically underserved California residents.

RCRC urges the State to consider the unique challenges and needs of rural and low-population counties when negotiating with the federal government regarding any Health and Human Services program changes. RCRC encourages the State to create innovative ways to ensure small county readiness and eligibility for new opportunities similar to those enjoyed by their larger and more urban counterparts. RCRC supports program changes that ensure rural, remote, and low-population

counties are not disadvantaged when attempting to meet any new requirements created by the State or federal governments.

**Access to Health Care.** RCRC acknowledges that health insurance coverage, whether public or private, does not guarantee access to care. RCRC supports incentives and programs which train, recruit, and retain health, dental and mental healthcare professionals to provide services in rural areas. To this end, RCRC encourages cooperation and communication between State agencies, offices, departments and boards, as well as the Legislature, federal agencies and county health advocacy organizations to affect this ultimate goal.

RCRC also supports policies that require private and public health plans to offer comprehensive, affordable care to rural county residents, and establish reimbursement parity between rural medical providers and those in other areas of the state. RCRC encourages cooperation between providers, insurers, appropriate State departments, the California public pension systems and other stakeholders in the rural health community to develop incentives and guidelines for health insurance coverage in rural areas.

**Health Professionals.** RCRC supports innovative programs and financial incentives to increase the number of medical professionals in rural areas. Scholarships and loan assistance programs are proven incentives that encourage health professionals to practice in rural areas and become active community members.

**Innovation.** RCRC supports and encourages the inclusion of rural counties in pilot projects and innovative approaches within new and existing health, mental health, public health, education and social services programs.

**Medi-Cal Reimbursement Rate Cuts.** The 2011 State Budget Act reduced reimbursement rates to several different types of Medi-Cal providers including Distinct Part/Skilled Nursing Facilities (DP/SNFs), pharmacies, and other fee-for-service Medi-Cal activities by 10 percent. Federal court rulings prevented the State from implementing many of these reductions until June 2013. The Medi-Cal Managed Care Organization (MCO) Tax reform package, signed by the Governor in March 2016, prohibited the State from implementing or retroactively recouping provider rate reductions for DP/SNFs.

RCRC continues to advocate that DP/SNFs are appropriately reimbursed for services and supports efforts that improve provider reimbursement rates throughout California.

**Medical Injury Compensation Reform Act.** RCRC strongly supports the current Medical Injury Compensation Reform Act (MICRA) law. RCRC recognizes that any threat to MICRA would be costly for all Californians, but particularly harmful to rural areas where access to healthcare is the most limited already. Any significant threat to existing MICRA protections will establish an increase in



medical liability insurance rates, and thereby reduce access to healthcare for patients in rural and underserved areas.

**Public Health Services.** RCRC supports adequate and appropriate State and/or federal funding for public health services including those unique to rural areas. These include, but are not limited to: environmental health, public health nursing, bioterrorism/pandemic planning, county public health laboratories, and the prevention and control of infectious disease outbreaks. RCRC supports State assistance and resources as county Public Health Departments work towards accreditation. Rural counties have difficulties managing the day-to-day requirements in the current fiscal landscape, let alone expansion of existing workloads to accomplish this worthwhile endeavor.

**Rural Hospitals.** RCRC supports proposals that allow small and rural critical access hospitals to directly hire physicians. Additionally, RCRC supports State and federal efforts to fully staff and finance rural hospital operations including capital and seismic-retrofitting needs.

**Prison and Jail Health.** RCRC opposes proposals that allow the State prison system to establish release policies for inmates in need of medical, mental health, substance abuse, or social services without commensurate local funding, consistent and appropriate discharge planning, coordination/cooperation with county Health and Human Services staff, and the assurance of local treatment capacity. RCRC supports the concept of ensuring that the application processes of inmates eligible for State Medi-Cal and/or other Health and Human Services programs funded by the State or the federal government are completed before the time of release, such that the inmate does not become a drain on county-run health and human services programs upon release. We urge the State to allocate funding for this purpose within the prison system, and to collaborate with counties to ensure that applications are appropriately completed.

RCRC recognizes the increase of high-acuity physical health, mental health and dental patients since the enactment of 2011 realignment, which shifted State prison inmates to county jails. Longer local sentencing terms will require jails to enhance their ability to address complex healthcare issues within those county facilities. RCRC supports the expansion of the use of telehealth and other distance health mechanisms to reduce costs, and protect sheriff and local correctional officers and the public by minimizing or avoiding the transportation of inmates to healthcare facilities.

**Involuntary Commitment.** RCRC supports a balanced approach when addressing the issue of involuntary commitment assessments in a hospital setting. These assessments are provided to individuals who are taken to a hospital or who are already in the hospital and need evaluation to determine whether they are a danger to themselves or others due to a mental health issue under the definition in Section 5150 of the California Welfare and Institutions Code. RCRC recognizes that the rights and needs of the patient, public safety and the needs of small rural

hospitals all need to be in balance for an effective public policy approach in this arena.

RCRC acknowledges that each potential mental health patient is entitled to an adequate assessment by a trained professional. Additionally, RCRC believes that public safety and order need to be kept by ensuring those individuals likely to be a threat to themselves or others need to be held safely away from the population at large. RCRC also recognizes that a small rural hospital may be the only medical facility for hundreds of miles in any direction. If such a medical facility is at capacity due to individuals that may or may not be truly mentally ill, or are waiting an unnecessarily long time for an assessment, then others with medical conditions may be turned away with potentially tragic consequences. Moreover, mentally ill patients should not be kept in a setting inappropriate to their condition for long periods of time while waiting evaluation.

In rural and remote areas, appropriate resources, especially of trained personnel, are scarce and public policy needs to reflect a certain level of flexibility to account for these special circumstances. Additional training of existing personnel, best practice doctrines, assessment checklists or other mechanisms are a few of the possible ways to address the need for assessing Section 5150-potential individuals in a timely fashion for the benefit of the patient, public safety and to protect access to hospitals.

**Technology.** RCRC supports State and federal funding for programs that promote quality medical education and treatment in rural areas through the use of technology. Telemedicine, teledentistry, and technology-based medical education can provide residents of rural areas with opportunities for medical care that would not otherwise be available without extensive travel and additional cost.

**2-1-1.** RCRC supports the concept of the 2-1-1 system, which connects Californians to health and human services resources including, emergency and disaster response, food and housing assistance, mental health and crisis support, job training and education programs, and other resources. RCRC supports the expansion of 2-1-1 services into all rural counties.

## **HEALTH CARE REFORM**

In March 2010, President Obama signed into law the Patient Protection and Affordable Care Act (H.R. 3590) and the Health Care and Education Affordability Reconciliation Act of 2010 (H.R. 4872) – setting in motion the largest restructuring of our nation’s healthcare system in several decades. Since that time, we have moved from a discussion of federal health reform proposals to actual implementation at the federal, state and local levels. While several provisions of the law have scattered effective dates spanning the next several years, the main thrust of the law began January 1, 2014.

RCRC recognizes that the cost of healthcare and health insurance has more than doubled in the last ten years, while the ability of individuals and businesses to

afford medical coverage is shrinking. RCRC also recognizes that the delivery of healthcare services in rural areas faces a particular set of challenges that must be addressed in any healthcare reform implementation.

**Access and Outreach.** RCRC supports efforts that increase the pool of medical professionals in rural and underserved areas. RCRC continues to encourage funding be spent on ensuring rural residents have equal access to the benefits provided under the Affordable Care Act.

**County Funds.** RCRC supports ongoing safeguards to realignment and other county funding streams. Counties continue to retain the obligation to fund healthcare services to the medically indigent; those individuals without access to healthcare other than county-provided care. These services continue to be managed in most RCRC counties by CMSP. RCRC supports adequate funding for CMSP, as many responsibilities will remain under Welfare and Institutions Code Section 17000. RCRC opposes any healthcare coverage expansion that would lead to an increase in the scope of Section 17000 obligations on counties.

**Health Plan Coverage Areas.** For any healthcare reform policy to be successful, health insurance plans must be required to include rural California in their coverage areas, and must be required to contract with local, accessible medical providers for care delivery.

**Small Business.** RCRC opposes strategies that negatively impact small businesses in rural areas. Often small businesses are the cornerstone of rural economies. The imposition of excessive fees or health insurance requirements on small businesses has the potential to destroy local industry and commerce, and thus deprive rural areas of jobs, services and economic growth.

## **INFANTS, CHILDREN AND YOUTH**

RCRC recognizes the need to dedicate time, talent, and resources for services to infants, children and youth. This is a critical investment in the future of rural counties. Therefore, children's welfare programs must have appropriate levels of funding and staff. Moreover, to avoid a cost-shift to the rural counties, these programs also must provide a sufficient funding base for both administration and direct services at the local level.

**Program Simplification.** RCRC supports the simplification of program enrollment processes, the integration of children/youth services and the closure of the gaps between the stand-alone programs.

**Local First 5 Commissions.** RCRC supports efforts that sustain the local First 5 Commissions' focus on the prenatal-to-five age groups and protect the California Children and Families Act (Proposition 10) revenue sources for this distinct purpose. RCRC opposes any proposal that would restrict the authority of local First

5 Commissions to determine and approve all local Proposition 10 funding distributions. RCRC opposes any budget borrowing or taking of funds from local First 5 Commissions.

**Foster Youth.** RCRC supports programs that assist our foster youth with housing, employment, medical care, and education assistance as they transition to emancipation. The State has taken on the caretaker role and responsibility for these youth, and has an obligation to provide services and opportunities reasonably available to other youth in California. Additionally, RCRC supports funding to counties to recruit and retain foster and relative caregiver parents.

**Child Welfare Services.** RCRC opposes funding cuts to the array of local child welfare services available to at-risk infants, children, and youth. RCRC supports local flexibility in the administration of these programs to allow for situations unique to rural counties.

**Medical Workforce.** RCRC supports workforce training, recruitment, and retention programs for pediatricians, pediatric dentists, pediatric anesthesiologists, child psychologists and other specialty care for children in rural areas.

## **INFRASTRUCTURE**

Counties are responsible for planning for future growth and property development, the management of natural resources, and the provision of public services. Consequently, counties have and must retain the primary responsibility for land use and development decisions. With increased development, counties are responsible for increased needs including public services and infrastructure. Funding for infrastructure from State and federal sources must be retained and increased. RCRC believes that State requirements for general plan adoption should be limited to major planning issues and should be used to ensure procedural uniformity.

Housing is an important element of economic development. However, the need for new housing units at the lower income levels exceeds the number of new units for which financing and subsidies are available. Therefore, additional funding is necessary to increase production of lower income housing units. Further, a greater emphasis at the State level should be placed on obtaining financing and enabling production, rather than undertaking and satisfying extensive planning requirements at the local level in housing element law.

In addition to housing, properly maintained roads are vital to the safety of the traveling public, the movement of goods, economic development, and quality of life in rural counties. The State must increase highway funding in rural areas because sufficient funding has not been available to preserve and maintain the existing secondary and local road network. California's infrastructure is deteriorating, in some places to the point where public safety, mobility, and viability are threatened.

RCRC supports utilizing innovative and mutually beneficial financing options that provide adequate return on investment for the public and private investors, and that lead to economic growth and job creation in California's rural counties.

## **HOUSING FINANCE**

**Home Ownership.** RCRC supports State and federal laws that broaden the opportunities for local housing finance authorities, non-profit housing entities and instrumentalities of government to increase homeownership. In addition, RCRC supports increased financing, subsidy options, and tax incentives to support development of new housing units at the lower income levels.

**Partnership Opportunities.** RCRC supports real estate lending laws that broaden partnership opportunities between the Golden State Finance Authority and mortgage lending entities in order to increase homeownership in California.

**Rural Emphasis.** RCRC supports State and federal housing finance programs that recognize the unique aspects of the rural housing market and earmark funds for distribution to rural areas.

## **LAND USE PLANNING**

Land use authority is the jurisdiction of local government. While California as a whole is approximately 50 percent publicly owned land and 50 percent privately owned land, many rural counties have a substantially higher percentage of publicly owned land, with one county having less than 2 percent privately owned land within its boundaries. It is imperative that local government retain land use authority in order to provide the appropriate mix of development within each community. RCRC is opposed to any policy that would infringe on this authority.

**Eminent Domain.** RCRC supports the authority of local governments to plan for and oversee development in their jurisdictions. RCRC supports the authority of counties to utilize the tools available to manage growth, including eminent domain. The decision to condemn property is a public policy decision for elected officials, not a legal issue. Exercising eminent domain by taking private property and transferring it for purposes of private gain or use is not supported by RCRC.

**Regional Housing Needs Allocations.** The Regional Housing Needs Allocation process should take into consideration the lack of residential infrastructure and other special considerations of rural communities. RCRC supports the transfer of assigned housing needs allocations between a county and a consenting city or cities, requiring notice to the allocating entity upon agreement between the jurisdictions.

**Regional Planning.** RCRC supports coordinated regional planning between local agencies to address regional impacts of growth including transportation and other infrastructure, air quality, housing, resource production and protection, and public services. RCRC opposes land use authority being transferred to regional agencies without the consent of the local jurisdictions.

**Land Use Planning.** RCRC believes any changes to State land use planning policies and process should be done within the existing planning framework and not by creating an additional layer of law or regulation, which threatens local land use authority. RCRC opposes any State attempt to preempt local planning policies, processes and decisions, and the imposition of new programs and responsibilities without funding.

**Housing Elements.** RCRC supports the continued recognition that local jurisdictions are not responsible for housing production, but each must plan for its share of housing needs through appropriate land use designations, zoning and programs. Therefore, if a jurisdiction has a certified housing element, it should not be economically penalized for not meeting housing production goals.

**Housing Element Self-Certification.** RCRC supports simplifying the housing element process by allowing counties to self-certify housing elements.

**Incentives.** RCRC will be proactive in ensuring that incentive funds are available to rural counties and local jurisdictions. RCRC supports the priority for planning funds to go to local jurisdictions, which can assign the funding and planning functions to other regional agencies. RCRC recognizes that infrastructure funds for local improvements are a key component to sustainable growth and will be proactive to ensure rural county access to these monies.

RCRC supports reevaluating the existing requirement that small counties adopt a housing element before receiving federal Community Development Block Grant and Home Investment Partnerships Program grants. This requirement currently does not apply to larger entitlement counties, and small counties should be able to compete for these funds on an equitable playing field.

**Land Acquisitions.** RCRC supports working with agricultural interests, environmentalists, and federal and State officials to develop long-term solutions to mitigate the impacts of large land acquisitions in rural counties.

**Prevailing Wage for Public Works.** RCRC supports changes to the methodology for determining prevailing wage requirements to allow consideration for the differences between urban and rural areas. Prevailing wages appropriate for large urban areas can result in a significant increase in labor costs for public works projects in rural areas.

**Sustainable Growth.** The development of sustainable growth principles should incorporate the realities of rural communities and preserve local autonomy over land use. RCRC supports sustainable growth principles on a scale appropriate to the local communities.

**State Agency Coordination.** State agencies should notify counties of actions that may potentially affect their land use prior to initiation of any proposed action and provide an opportunity for local engagement. Further, State agencies should

coordinate their actions with affected counties and with existing local, state, and federal land use plans.

**Surface Mining and Reclamation.** RCRC opposes efforts to mandate a limitation on or reduction of the authority of counties under the State Mining and Reclamation Act for permitting, inspection activities or the approval of a reclamation plan. RCRC supports a state training program for local government inspectors and recognition that an inspector with one department is not a conflict to inspect a mining operation of another department.

**Wildlife Corridors.** Consideration of identified wildlife corridors should be provided in the development approval process to reduce the impacts of wildlife displacement. The identification of wildlife corridors should not result in regulatory impacts on private landowners.

## **TRANSPORTATION**

**Aviation Funding.** RCRC supports the continuation of State subsidies for general aviation airports in rural counties. These funds help defray operational and capital costs at these small rural facilities. RCRC supports reauthorization and implementation of federal aviation policy at the state level to ensure that California continues to receive and dedicate investments to support commercial and general aviation airports. Additionally, RCRC supports increased funding for state and federal aviation programs that support the viability of airports and commercial air service in rural communities, particularly the Federal Airport Improvement Program, Small Community Air Service Development Program, and the Essential Air Service Program. Absent these subsidies, many areas of California would not be connected to the national air travel system.

**Development Planning.** RCRC opposes the use of State transportation funds as an incentive or reward for adoption of prescribed land use principles and development plans by local governments. RCRC also opposes the diversion of dedicated transportation funds for housing and development purposes.

**Federal Surface Transportation Act.** RCRC supports the timely reauthorization of the federal transportation authorizing legislation, Fixing America's Surface Transportation Act (FAST Act), which authorizes \$305 billion over fiscal years 2016 through 2020 to support various surface transportation programs with a focus on state highways and safety programs. RCRC strongly supports a surface transportation policy focused on preservation and maintenance of the existing highway system including the secondary or rural highway network, and connectivity between local, regional, and statewide transportation systems. In California, the secondary highway network serves as a connector to urban centers, a farm to market route, and a path to natural tourism and recreational areas. RCRC supports increased funding levels for the reauthorization of the FAST Act to better meet the growing infrastructure needs of the nation, as well as dedicated revenues for locally-owned bridges and high-risk rural roads. RCRC supports funding for

public transportation and transit. RCRC advocates for sustainable revenues source to ensure the Highway Trust Fund is adequately funded and remains solvent.

RCRC supports an equitable distribution of federal transportation funds to California to better align with the amount of taxes California's citizens contribute to the national program. RCRC encourages federal and state transportation policymakers to recognize, prioritize, and fund the infrastructure and safety needs of rural areas. RCRC supports increased flexibility for Regional Transportation Planning Agencies and supports streamlining efforts to deliver projects more efficiently and effectively.

RCRC supports the establishment of a National Freight Program to target funding toward projects that help direct the movement of products throughout California and the nation. However, any such program must recognize the rural areas of the state and require funding be spent on the farm to market connectors and the roads that serve as alternatives to the Interstate system for large volume freight traffic.

**Transportation Funding.** RCRC recognizes the current primary source of funding for transportation – an excise tax on motor vehicle fuels - at both the State and federal level is unsustainable. Consumption of motor vehicle fuels, at best, has remained stagnant while transportation construction costs have increased. Further, existing federal and State excise tax rates have not been increased in decades. As such, transportation policy makers should begin to examine other funding structures to either replace or supplement the existing excise tax on motor vehicle fuels. The study of alternative funding structures should include levies on the number of vehicle miles traveled, commonly referred to as a Mileage-Based User Fee, progressive levies at the time of vehicle registration on specific vehicles which do not use or are not primarily dependent on motor vehicle fuels, and revising the cost and timing of delivering transportation projects. Each option should be fully examined with sound data as it relates to the concerns and behavior of rural motorists.

Regardless of the source of transportation revenues, RCRC supports the retention of a dedicated funding source at the local, State, and federal level for transportation programs. Annual revenues must be predictable to enable rational long-term planning and decision making at the local, regional and State level. To that end, and in the effort to implement both the federal reauthorization of transportation programs and new revenue schemes, RCRC supports distribution formulas that recognize a statewide transportation network which includes rural highways, roads and bridges, and the disproportionate cost associated with rural roadway maintenance.

RCRC supports local, State and federal policies that maximize the benefits of transportation investments, and policies and procedures that reduce or eliminate barriers to project delivery. These efforts include opportunities to review the National Environmental Policy Act and the California Environmental Quality Act to streamline and improve the application and approval process for transportation-



related infrastructure projects, and reduce or eliminate duplicative State and federal requirements. Additionally, RCRC supports efforts to address prevailing wage requirements and contracting rules that have an increased cost on rural agencies.

**State Highway Relinquishment.** The California Streets & Highways Code allows the State – via an act of the Legislature and final approval of the California Transportation Commission – to relinquish segments of state highways to local entities (cities and counties) provided those local agencies can absorb the ongoing costs of the segment. The California Department of Transportation’s policy is that relinquishments of a segment should not occur when those segments contribute to an inter-regional connection. RCRC supports relinquishment only when the segment does not negatively impact a vital or primary inter-regional connection or when relinquishment would not disrupt the ability to transport people and goods efficiently from one region to another (i.e. from rural areas into urban areas).

## LOCAL GOVERNMENT FINANCING

With voter approval of Proposition 1A in 2003, local government property tax revenue is no longer to be taken by the State. Proposition 1A was a major step in protecting local government revenues. However, counties need additional funding if they are to fulfill their State-mandated and traditional roles.

Financial actions taken by the Legislature and the Governor have direct impacts on California’s rural counties. Many rural counties rely on special State assistance including but not limited to, law enforcement, emergency medical services, environmental health, and small airfields. RCRC is committed to working with all members of the Legislature and the Governor to ensure that the budget process maintains these vital services when these services are difficult to maintain solely on local revenues.

**Agricultural Commissioners.** RCRC supports a level of funding sufficient to implement the mandated pesticide use enforcement programs conducted by County Agricultural Commissioners. RCRC opposes the continuation of the program without sufficient funding.

**Bond Funds.** RCRC supports the efficient and effective use of State bond funds and the maximization of federal funds. RCRC supports geographically equitable distribution of bond funds, accountability for bond fund expenditures, and the incorporation of input from local officials when spending priorities are determined. RCRC supports funding formulas that establish a reasonable minimum amount rather than an amount based on population.

**Cooperative Wildlife Services.** RCRC supports restoration of State matching funds for county participation in federal Cooperative Wildlife Services programs,

which bring greater scientific knowledge and efficiency to local wildlife management programs.

**Disaster Funding.** The State General Fund has been the traditional source to fund the California Department of Forestry and Fire Protection (CAL FIRE), the Governor's Office of Emergency Services, and other disaster-related agencies. In recent years, there have been proposals to provide additional revenues and/or lower the obligations of the State General Fund including, most recently the State Responsibility Area (SRA) fee to fund CAL FIRE's fire prevention and education programs.

RCRC supports a new revenue stream that is broad-based geographically, reflecting the fact that the activities of statewide disaster agencies benefit all Californians: CAL FIRE and other state emergency response agencies respond to all types of disasters including fire, floods, earthquakes, hazard materials spills, and terrorism, as well as vehicular and medical responses in Local Responsibility Areas, SRAs, and federal lands. However, any new disaster management fee/tax must be in lieu of the existing SRA fee, not in addition to, and must include the unequivocal repeal of the SRA fee when this new revenue stream is created.

Counties should not be in the role of administering and/or collecting new revenues; however, in the event counties are required to perform an administrative/collection function, counties must receive full cost-recovery. With the addition of any new revenue sources, portions should be permanently dedicated for disaster prevention activities at the local level.

RCRC supports full funding of disaster relief for all eligible counties. Policymakers often consider limiting access to disaster funding to incentivize certain actions by local governments. RCRC opposes any changes to, or limitations upon, the eligibility for receipt of disaster costs. RCRC especially opposes tying county land use processes and decision-making to disaster relief funding.

Disasters in rural areas of California are often caused or exacerbated by the presence of State or federally managed lands and resources, thereby creating a risk that counties have little, if any, authority to manage. It is unreasonable to tie disaster funding to the actions of a county in that situation. Additionally, RCRC supports a return to State assistance for the local portion of the costs of state or federally declared disasters. State policy has shifted away from reimbursing these costs, which are critically important to the overall recovery in small, rural areas with limited revenue.

Any changes to the current system of enhanced reimbursement for disaster funding that require changes to a county general plan should be tied to the timing of each county's regular update of its general plan, rather than to a specific date. If eligibility for enhanced reimbursement is to be an incentive for good planning and prevention, a program of self-certification must determine proof of such, rather than through costly on-site visits. As to fire disaster specifically, RCRC opposes any

requirement for enhanced reimbursement for fire disaster that mandates a central countywide fire authority or classifies volunteer or tribal firefighters differently than professional firefighters.

RCRC supports the continuation of federal disaster assistance to states and counties, and encourages federal lawmakers to consider the impacts of any changes to the existing funding mechanism on small, rural counties with low population, minimal staff, fiscal resource limitations and aging or non-existent infrastructure.

There are several limiting factors in states and ultimately counties receiving disaster relief assistance from federal resources. First, a disaster declaration is only made if the amount of damage reaches a certain level of financial impact, based upon certain findings of how much of the population of a county was affected, and the amount of financial impact to a single county. Due to the small number of California counties, and the way that population and financial resources are spread throughout the state, the current system of disaster declarations is disadvantageous to California counties, requiring far more widespread and extensive damage than the amount of damage that is necessary to reach the threshold for declaration in counties in other states. RCRC supports changes to the current system of disaster declaration qualification, such that California counties are more likely to be eligible for formal declaration of disaster.

RCRC supports State tax relief for those individuals and businesses who have losses due to disaster. Special carry-forward provisions of losses are an effective way to help ease the transition between disaster and recovery. However, RCRC does not support any waiver or shifting of local tax revenues due to disasters. Often local governments are coping with their own increased costs due to disaster recovery, so it makes little sense to reduce revenue sources at such a time.

**Homicide Trial/Costly State-Initiated Court Case Funding.** RCRC supports continued State funding of the extraordinary costs of major homicide trials in rural counties. Also, State funding should be provided for costly court cases that have been initiated by the State of California in rural counties. Without State funding, California's rural counties may face the risk of bankruptcy due to the high costs incurred by these types of trials.

**2011 Realignment.** In 2011, the Legislature and the Brown Administration enacted a comprehensive realignment of criminal justice programs and services to counties, and realigned the funding of a variety of Health and Human Services programs. Funding for the realignment scheme is currently set in statute through a dedication of 1.065 percent of the State portion of the sales tax rate and a limited amount of vehicle license fee revenues. The realigning of the Health and Human Services programs started in the beginning of the 2011-12 fiscal year, while the criminal justice realignment – via Assembly Bill 109 – took effect on October 1, 2011. While RCRC did not endorse the 2011 realignment, RCRC supports the full constitutional protections which were enacted to dedicate funding for the costs of

meeting these demands. Such protections dedicated protections outlined in Proposition 30 of 2012 are:

- Continuous appropriation of funds to counties;
- Counties must receive funds for new or increased costs of realigned programs;
- Reimbursement for the State assumption of the new or increased costs of realigned programs imposed by the federal government or the courts; and,
- If the revenues that currently fund realignment are reduced/cease to be operative, the State is required to provide replacement revenues that are equal to or greater than otherwise would have been provided.

RCRC also supports the continuation of dedicated State revenue streams for local law enforcement programs which are now incorporated into the 2011 Realignment scheme, such as the Rural and Small County Law Enforcement Program.

**Municipal Bankruptcy.** In 1949, California finalized the procedures for allowing municipalities to access federal bankruptcy laws (Chapter 9). California is one of eight states that have enacted authorizing statutes with unrestricted access to the Chapter 9 process. Only one county in California (the County of Orange in 1994) has filed under Chapter 9 since the creation of this option. RCRC believes that there is no need to deviate from the current, long-established policy of unrestricted access to the Chapter 9 process. RCRC opposes efforts that interfere, inhibit or delay a county's ability to seek bankruptcy protection in order to best manage their fiscal affairs. RCRC believes that any State interference jeopardizes a county's ability to avoid bankruptcy and/or impedes the ability of a county to continue providing the services required under State and federal law.

**Property Tax Allocations.** Some counties are experiencing "insufficient Educational Revenue Augmentation Fund (ERAF)" which results in less property taxes flowing into the county treasury. This is a result of complex State funding formulas which determine the allocation of local property taxes to jurisdictions within a county. RCRC supports efforts – through a State budget augmentation and/or a new statute – which guarantee that counties (and cities located within those counties) are made whole when there is insufficient allocation of property taxes due to State-determined formulas. In addition, RCRC supports legislative efforts to allocate property taxes known as "excess ERAF" to cities, counties, and special districts within the county where "excess" property taxes are generated.

**State Crime Laboratories.** Most rural counties rely on forensic crime laboratories operated by the California Department of Justice to assist in investigations and prosecutions. In order to provide uniform quality and consistent forensic services, the Legislature established these laboratories for use by municipalities. RCRC opposes efforts to impose and implement a fee schedule for counties when using these laboratories.

**Off-Highway Vehicles.** RCRC supports the collaborative efforts of the Off-Highway Vehicles (OHV) stakeholders' roundtable to resolve contentious issues. RCRC opposes the requirement for a local match in the OHV grant program.

**Payment in Lieu of Taxes.** RCRC strongly supports the reauthorization and continuance of full funding of the Federal Payment in Lieu of Taxes (PILT) program to help counties offset the loss of property taxes from public land ownership. RCRC strongly supports full funding and payment to counties each budget year for the State PILT program administered by the California Department of Fish and Wildlife (DFW). RCRC also supports payment in full of the arrearages due to counties by the DFW for the State PILT program.

**Federal Payments to Schools and County Roads.** In 2000, Congress enacted the Secure Rural Schools and Community Self-Determination Act (SRS). SRS was created to provide a guaranteed payment option to counties and schools located in forested areas in light of dramatic reductions in monies derived from timber harvesting on national forest lands. Proceeds provide rural counties and school districts with funding for a number of services including road maintenance and day-to-day school operations. SRS has been reauthorized several times, and various SRS reauthorizations have included a "ramp down" of payments to local jurisdictions.

RCRC supports the timely reauthorization of SRS. RCRC recognizes that the 2000 law was not a permanent federal funding source for counties and school districts, but rather a temporary funding scheme to assist in an economic transition due to declining federal timber harvesting receipts. However, stakeholders, in coordination with the Administration and Congress, have yet to agree on an alternative, permanent funding source – consistent with historic payment levels – to support counties and schools with national forest lands. Therefore, RCRC supports reauthorization of SRS, and aims to preserve funding levels which are adequate and reflect the federal government's commitment to rural communities. RCRC continues to support the development of creative permanent funding solutions into the future.

**Proposition 36.** RCRC supports adequate State funding for Proposition 36, the Substance Abuse and Crime Prevention Act which was approved by the voters in 2000. Programs established under Proposition 36, at the county level should be funded, in part, with state resources, and flexibility must be provided in using these funds to provide drug treatment services for non-violent drug offenders.

**Proposition 47.** Proposition 47, approved by the voters in 2014, reduces criminal penalties for a variety of specified offenses, and dedicates the 'savings' from housing these offenders into programs that support K-12 schools, victim services, mental health and drug treatment. RCRC staff will work to ensure that counties' costs are mitigated, and State monies that are realized from the "savings" associated with incarceration are directed to county programs associated with for mental illness and substance use disorders associated with this offender population.

**Resource-Based Fees.** RCRC opposes the use of resource-based fees to balance the State budget. With such a large percentage of the state's natural resources located in our member counties, the citizens of rural counties can be unduly impacted by fees based upon those resources. As these resources benefit the state and the public at-large, it is appropriate that the General Fund provide some level of support for resource related programs. The current practice of eliminating or reducing General Fund support for these programs, and the resulting increased reliance on user fees, places an unfair and inequitable burden on rural communities.

**Transient Occupancy Taxes.** For many rural counties, Transient Occupancy Taxes (TOT) are an important local government revenue stream for many tourism-dependent rural counties. TOTs provide a critical source of flexible local funds that are often utilized to offset the costs of providing services to tourists. RCRC strongly supports efforts – via changes in statutes or agreements at the local level – to collect the appropriate amount of TOT from technology platforms such as “Airbnb.” RCRC also opposes any efforts to exempt any taxable lodging sites or travel booking services/agents from the collection and payment of local TOTs. Furthermore, RCRC opposes efforts which would shift the responsibility for imposition and collection of TOTs from local jurisdictions to the State.

**User-Based Fees and Assessments.** RCRC opposes the expenditure of user-based fees and assessments to finance general or special benefit programs that are not directly related to the service for which the fee or assessment was initially established.

**Unfunded Mandates.** RCRC supports reforming the mandate reimbursement process to make it more reliable and timely for counties. RCRC supports the full and immediate repayment of all pre-2004 mandate claims.

**Williamson Act.** The Open Space Subvention Act of 1971 was established to provide local governments an annual State subvention to fund the partial replacement of foregone property tax revenues resulting from county participation in the California Land Conservation Act of 1965 (commonly referred to as the Williamson Act). The State stopped funding the subvention program in 2009.

Williamson Act subventions were a significant contributor to the General Fund of many rural counties. This revenue represented as much as 15 percent of some rural county budgets and provided counties with one of their few sources of discretionary dollars for essential public services many of which are delivered on behalf of the State.

State funding of the Williamson Act was one of California's most effective on-the-ground programs for encouraging the preservation of existing farmland, open space, and habitat as well as protecting watersheds and reducing greenhouse gases. The

Williamson Act also aided in the preservation of contiguous areas of agricultural land in California.

RCRC supports the reinstatement of State subvention funding to counties to provide compensation for reduced property taxes on lands that have Williamson Act contracts. However, given the ongoing reluctance of the Legislature and the Administration to fund Williamson Act subventions since 2009, discussions relating to changes to the Williamson Act in light of the lack of subventions are appropriate.

RCRC will continue to work with agricultural, environmental and local governmental organizations to explore sustainable funding from the State for the program. Additionally, RCRC may consider potential changes to the program itself including modification of the State's oversight and administrative role in the program in light of no foreseeable funding from the State for the program.

Further given the changes in California since the inception of the Williamson Act, RCRC supports the ability of individual counties to make the determination of appropriate compatible use on agricultural land within the Williamson Act program.

## **MILITARY BASE CLOSURES**

The defense industry remains a critical economic industry in California behind tourism and agriculture. California is home to nearly 30 major military installations. In 2014, the Department of Defense spending in California was approximately \$52.5 billion, representing 12.5 percent of the total U.S. Defense spending budget and a workforce of 272,864 including active, reserve, and civilian personnel.

During the four previous rounds of base closures, California lost 24 bases, representing 25 percent of the bases closed nationwide. Additionally, California lost nearly 100,000 jobs while the other 49 states combined lost approximately 80,000 jobs. These base closures resulted in an estimated loss of \$9.6 billion in annual revenues for California.

Five RCRC member counties house military facilities: Imperial County – El Centro Naval Air Facility; Inyo County – China Lake Naval Air Weapons Station; Lassen County – Sierra Army Depot; Mono County – Marine Corps Mountain Warfare Training Center; and, Yuba County – Beale Air Force Base. Although the majority of military facilities are not located in RCRC member counties, the effects of their closure would potentially impact nearby RCRC counties. Some of the possible impacts of base closures on surrounding local communities include the loss of property taxes and sales taxes.

**Base Reuse.** RCRC supports incentives for economic reuses that are developed in coordination with the impacted local government(s) should any facilities close.

**Disproportionate Economic Impact.** RCRC believes consideration should be given to the disproportionate contribution local communities in California have already made to the streamlining of the military's base infrastructure. California shouldered a disproportionate burden of closures during previous Base Realignment and Closure (BRAC) rounds, suffering a 60 percent cut in net personnel despite housing only 15 percent of the nation's military personnel.

RCRC believes strong consideration should be given to the economic impact of closures on existing communities in the vicinity of military installations and supports legislative efforts to provide state and federal economic assistance to areas that suffer because of such base closures or realignments.

**Geographic Capacity.** RCRC supports consideration of the importance of geographic capacity to accept future missions and their operating, research, design, testing, and evaluation requirements. Rural areas of the state provide access to large areas of operational airspace and land that will be a key to future military operational and training requirements.

**Inactive Status.** RCRC opposes the retention of facilities in an inactive status; this has a significant negative impact on the local community due to its inability to realize job creation through economic reuse of the site. Additionally, it delays the necessary cleanup of potential contamination prior to transition to any future use. Temporary deactivation does not generate any State or local revenues and is a blight on the surrounding communities.

**Placement.** RCRC supports the placement of out-of-state realignments at existing California military facilities.

**Retention.** RCRC supports retention of military bases in California to be operated in the most cost-effective and beneficial manner to the State and the people of the United States.

**Toxic Cleanup.** RCRC supports the swift cleanup of any toxic materials from bases that have already been closed in previous BRAC rounds to enable their economic reuse prior to any further base closures in California. Delayed base cleanup can delay property transfers and reuse, hurt the economic revitalization of nearby communities, harm the environment or public health, and increase environmental risks.

## NATIVE AMERICAN AFFAIRS

Relationships between tribes and counties are as varied as the makeup of those entities. It is important that the State and federal laws and regulations that govern those relationships be fair and equitable; both between tribes and local governments, and consistent from jurisdiction to jurisdiction. Compacts that enrich



the State but do not mitigate the local impacts of tribal gaming are untenable. Federal acknowledgement processes that do not allow for a local government voice and do not adequately mitigate resolutions to known conflicts are unacceptable. Regulations that insist a small business owned by a non-tribal entity meet a certain environmental standard, or acquire a certain type of permit to operate, should be applied to tribally-operated businesses as well. RCRC's policies in the realm of Native American Affairs reflect this important balance: the need to respect the sovereignty of tribal governments with the importance of protecting local government and the constituencies it represents, both tribal and non-tribal.

**Agreements.** RCRC supports the requirement for judicially enforceable agreements between tribes and local jurisdictions.

**Construction and Expansion.** RCRC supports requiring tribal governments that seek to construct or expand a casino or other business that would impact off-reservation land to involve the county government in the planning process and, ideally, to obtain the approval of the local jurisdiction.

**Federal Acknowledgement.** RCRC urges the Bureau of Indian Affairs to include language regarding involvement of local government input, specifically, and in addition to, extensive public input from stakeholders when working towards the restructuring of the way the federal government formally acknowledges an Indian tribe. Additionally, RCRC believes that any new federal acknowledgement process should be closely connected to any new Fee-to-Trust process such that the two both share a high level of local government involvement. Ensuring that the acknowledgement system and the Fee-to-Trust system work in tandem and that both allow for the maximum amount of local government input is the best way to ensure smooth relations between tribes and local governments.

**Fee-to-Trust.** Many tribes are attempting to acquire land outside of their current trust lands and are seeking that additional land be placed into federal trust in order to secure the ability to develop businesses for economic growth and to avoid federal, State and local taxation of those businesses. Case law (*Carcieri v. Salazar*, 555 U.S. 379 (2009)) invalidated many Fee-to-Trust transactions because the tribes seeking trust land were not recognized before 1934. RCRC continues to oppose any legislation that would re-validate the pre-Carcieri Fee-to-Trust system without reforming the current process to better accommodate the concerns of local governments in the regions affected by Fee-to-Trust applications. RCRC is actively engaged on improving the legislation seeking to establish a post-Carcieri Fee-to-Trust system. RCRC opposes the shift of land from Fee-to-Trust without community input. Moreover, RCRC opposes a change-in-use from the use listed on an approved Fee-to-Trust application to a different use without additional review. RCRC supports maintaining the existing right of the county, state and any interested or harmed party to gain standing to comment or sue over a trust application.

**Local Business Equality.** Recognizing the current revenue generation and potential expansion of tribal lands and businesses, RCRC encourages equal enforcement of all appropriate tax laws and requirements on tribal businesses in order to ensure a level playing field for local businesses and to ensure fairness in revenue generation within counties.

**Mandatory Mitigation.** RCRC supports a requirement that future Indian Gaming compacts and Fee-to-Trust applications provide for full mitigation of local impacts including infrastructure load and local law enforcement issues from gaming and other infrastructure impacts from tribal activities. Mitigation should be provided through either the Indian Gaming Special Distribution Fund (SDF) or through judicially enforceable agreement between local jurisdictions and tribes. RCRC supports full funding of the SDF or alternative funding source for full funding of local mitigation to provide badly-needed revenues to the counties and local governments affected by tribal activities on non-taxable land.

**Tribal Firefighting.** RCRC strongly supports the right of counties to utilize contracts or other agreements with tribal firefighters and tribal fire departments as the official structural fire protection for any areas within a county. RCRC recognizes the importance of tribal firefighters and tribal fire departments and opposes any legislation or changes to regulations that would disadvantage any county that utilizes agreements with tribal firefighting entities, rather than other types of firefighting units. Additionally, RCRC supports the usage of tribal fire departments as part of a mutual aid system, where appropriate, and encourages all other entities responsible for firefighting to recognize tribal firefighters as partners.

**Environmental Regulations.** Recognizing the potential expansion of tribal gaming and other types of large facilities on new tribal lands, and anticipating the renewal of current State-tribal compacts, RCRC encourages the inclusion of greenhouse gas mitigation strategies, as well as compliance with all other environmental regulations in all new and renegotiated tribal gaming compacts.

**Medical Marijuana Grows on Tribal Lands.** The United States Department of Justice has outlined the circumstances in which marijuana cultivation will be treated as a low priority offense (commonly referred to as the Ogden Memo and the Cole Memo). One of those circumstances is cultivation activity that is governed by a robust regulatory scheme. As such, RCRC believes that tribal grows should only occur in accordance with the State's medical marijuana licensing system, which requires compliance with local government rules and regulations.

## NATURAL RESOURCES

RCRC member counties cover more than half of California's total land mass. RCRC represents local governments that have regulatory and public trust responsibilities over the lands, surface waters, groundwater resources, fish and wildlife, mining, and overall environmental quality within their respective jurisdictions.

RCRC member counties stretch from the northern border with Oregon to the southeast border with Mexico, from the Central Valley to the Sierra, and from the coast to California's wine country. Although these rural areas are abundant in natural resources and agriculture, most of the state's population lives in the urban coastal areas and below the Tehachapi Mountains.

RCRC supports conservation of natural resources. Abundant natural resources are a key component of the history, economic base, and culture of California's rural counties. A strong working relationship between counties and public land managers is crucial for rural counties that rely heavily on a resource-based economy. RCRC will continue its ongoing efforts to create a better working relationship between member counties and the federal agencies that manage lands within member counties.

### **ENDANGERED SPECIES**

**Endangered Species Protection.** RCRC supports efforts to streamline and modernize the State and federal Endangered Species Acts (ESAs), and the State's Fully Protected Species Act, as well as efforts to clarify and simplify the process to de-list species from a protected status. RCRC supports a more comprehensive and integrated approach, as opposed to a single-species approach, in order to help balance species protection with the economic and social consequences that may result from such protection, including compliance costs. RCRC supports increased public collaboration throughout the development of "reasonable and prudent" measures during the ESA consultation, the National Environmental Policy Act and the California Environmental Quality Act processes.

RCRC opposes efforts to broaden critical habitat designations through amendments to the ESA. RCRC also opposes a baseline approach to the economic analysis for critical habitat, and instead supports an approach that considers all fiscal impacts related to the listing and subsequent critical habitat designations for a species.

Federal and State regulatory agencies should adhere to the highest professional scientific standards to justify their biological conclusions and recommendations. The resulting scientific conclusions and recommendations should be subject to independent scientific peer review.

At the State level, RCRC does not support changes to the existing responsibilities of the Department of Fish and Wildlife (DFW) and the Fish and Game Commission.

### **FOREST MANAGEMENT**

**Fire Prevention.** RCRC supports community-focused fire prevention policies that balance environmental protection with the preservation of life and property. RCRC supports finding solutions that will better protect our communities and the environment from the catastrophic effects of wildfire including detriments to air and water quality, loss of habitat, forced evacuations, and other devastating environmental and societal losses.

RCRC supports realistic policy and regulatory reforms that could lead to better mitigation of wildfires on federal, State, and private lands. RCRC encourages an increase in State and federal financial resources being put toward prevention either in grants to aid local agencies in the management of forestlands including preparation of fire management plans for Wildland Urban Interface areas and implementation of fuel reduction programs; or in direct dollars spent towards “on-the-ground” projects.

RCRC supports expansions including diameter limit increases, to existing exemptions from timber harvest plans for wildfire prevention vegetation management. Additionally, RCRC supports other tactics to improve forest management and reduce wildfire risk within California’s forests including: incentives for increased forest biomass utilization; continuation of and expansions to the federal stewardship contracting program; utilization of Cap-and-Trade funds for fuels management work; and other traditional and non-traditional avenues to increasing the amount of vegetation management that can be completed in and around our rural communities. RCRC supports the use of grazing in appropriate circumstances as another tool to reduce the risk of wildfire. These fuels reduction efforts are necessary in order to prevent fires, improve the health of the forest and the watersheds and maintain these resources for wildlife habitat, tourism and recreation.

RCRC will continue to work with our non-traditional partners to collaborate on solutions to the ever-increasing threat of wildfires to our forests, and to California as a whole.

**Fire Protection and Prevention Decision-Making.** RCRC supports active outreach on the part of State and federal land managers to engage counties and local government officials in decisions regarding fire prevention and protection activities on federal lands that may affect the health and/or safety of residents or visitors of the surrounding communities.

**Community Wildfire Protection Plans.** RCRC supports local collaboration between fire services, civic leaders, community citizens, and other stakeholders to develop Community Wildfire Protection Plans (CWPPs). CWPPs should include broad-based approaches to fire prevention on federal, State, and private neighboring lands. CWPPs, when fully implemented, should provide a step in the right direction towards mitigating the destructive effects of wildfires. RCRC believes that CWPPs should be realistic and reflect actual on-the-ground conditions so that State and federal land management agencies will more heavily rely on them when determining project placement and expenditures.

**Oak Woodlands.** RCRC supports the conservation of oak woodlands but strongly believes that local planning authorities should control the protection of oak woodlands in areas of oak woodland scarcity, not through a State legislative mandate.

**Federal Firefighting.** RCRC urges the United States Forest Service (USFS) to work with local governments, local fire agencies, and the California Department of Forestry and Fire Protection (CAL FIRE) to adopt a strategy that is similar to, and as equally comprehensive as, CAL FIRE's stated mission of protecting resources, lives, and property on any California lands subject to a balance of acres swap between CAL FIRE and USFS. While RCRC recognizes that the USFS and CAL FIRE have distinct missions, RCRC strongly believes that the USFS must be responsible stewards of California's forested lands, which includes working to preserve the safety of the lives, homes, businesses, and property of those who live in and around federal lands.

**Sierra Nevada Framework.** RCRC supports the administrative review process of the Sierra Nevada Framework. RCRC supports managing the Sierra Nevada national forests to increase the presence of native tree species, reduce fire-prone vegetation, and decrease forest density. RCRC supports prioritization of fuel reduction projects in wildland-urban interface areas, municipal watersheds, and areas prone to insect and disease infestation.

**Timber Harvesting on Private Lands.** RCRC opposes additional requirements that would further increase the cost of Timber Harvesting Plans (THPs) or make the approval process more onerous. Additional THP costs and/or a more onerous process would result in a potential increase in fire risk, as well as the threats of insect and disease infestation, thereby further jeopardizing rural communities that are located near private forestlands. RCRC supports efforts to reduce or streamline the regulations on private forest owners for vegetation management work for fire prevention. RCRC supports an increase to the diameter limit of existing THP exemptions for such purposes.

**Wildfire Disaster Funding.** The current federal system for funding the costs of fighting wildfires results in "fire-borrowing," where operational revenue for prevention, forest health and watershed restoration projects is "borrowed" and spent for firefighting costs. This system exacerbates wildfire risk conditions for subsequent fire seasons, thereby endangering the health of California's forested lands and the valuable resources they provide. RCRC supports the adoption of a new mechanism by Congress that prevents fire-borrowing to enable federal land managers to complete vital forest health projects to prevent future severe wildfire events.

**Tree Mortality.** RCRC supports State and federal funding, as necessary and appropriate, for the continued removal and utilization of dead and dying trees due to invasive pest infestation consistent with Governor Brown's October 2015 Emergency Proclamation. The removal of diseased trees is vital for the prevention of severe fire risk conditions, which ultimately protects public health and safety while reducing greenhouse gas emissions from wildfire and preserving the carbon sequestration capabilities of California's forest lands.

## **LAND CONSERVATION**

**Conservation Easements.** RCRC supports a broader use of state-funded limited term conservation easements as opposed to permanent easements. Although federal government programs provide funding for term easements, the State's current policy prevents full utilization of this funding option.

**Invasive Species.** RCRC supports State and federal funding to increase public awareness of invasive species as well as to facilitate their removal and reduce harmful economic and environmental impacts that result from the spread of these species, such as the degradation of agriculture, water quality and water supply issues, outdoor recreation and increased wildfire danger.

**Land Acquisition.** RCRC believes the following key factors must be considered in any conservation acquisition: protection of property rights; willing buyer/willing seller; local land use authority; and the maintenance of productive working landscapes consistent with local land use plans. Any local government that may be impacted should be notified when a conservation acquisition, in either fee title or an easement, is being considered.

**Pacific Forest and Watershed Lands Stewardship Council.** RCRC supports the implementation of the Land Conservation Plan in accordance with the terms of the settlement agreement and the associated stipulation. Protections for counties should include a requirement that the totality of dispositions in each affected county be tax neutral for that county.

**Special Land Use Designation.** RCRC supports multiple-use land designations for national forests and other federal lands. Where special land-use consideration is desirable, RCRC supports a five criteria evaluation: 1) Designations must be supported by local governments; 2) The permissive tools of land management must be capable of preserving and protecting the landscape's natural features in perpetuity including protection from wildfire and disease and insect infestation; 3) Designations must be generally consistent with historical and current use; 4) Designations must contribute to the future anticipated demand for national forest and federal land uses; and, 5) A balance of diverse uses must be maintained within a reasonable geographic vicinity.

**State Owned Land.** The current State land acquisition system needs reform. A key element of that reform must include a thorough analysis of existing holdings based upon criteria that is developed in accordance with each agency's mission, goals and available resources. Current State holdings should be analyzed and measured against those criteria to determine whether it is appropriate that those properties remain in state ownership.

## **WILDLIFE MANAGEMENT**

Rural counties have regulatory and stewardship responsibilities for the natural resources within their jurisdictions, as well as public health and safety responsibilities including the protection of life and property. Rural counties require

effective predator management tools within wildlife management regulations and policy decision making.

Loss of natural habitat through natural processes, such as drought and wildfires, as well as human made alterations, has caused wildlife to migrate to populated areas in search of food and water. Human-wildlife conflicts include the potential for physical injury or loss of life, property damage, and the spread of contagious wildlife diseases that pose threats to humans, other wildlife, domestic pets and livestock.

**Cooperation.** RCRC encourages federal and State decision-makers to work cooperatively with counties to ensure that effective wildlife management tools are available at the local level that strike a balance in wildlife management decisions, legislation and protection of this public resource.

**Funding.** RCRC supports federal and State funding for wildlife management programs.

**Research.** RCRC supports continued research on wildlife and predator management.

**Wildlife Management.** RCRC supports local, State and federal wildlife management programs including the United States Department of Agriculture Animal and Plant Health Inspection Services wildlife damage management activities, and the California DFW trapping license program, as well as efforts by the County Agricultural Commissioners to disseminate wildlife management educational information to the public.

## STATE CORRECTIONS SYSTEM

California continues to remain under a federal court order regarding its state prison population. This order places a cap on the State's prison population at 137.5 percent of design capacity, which translates into an inmate population of approximately 115,900 in the state's 34 institutions. The Legislature and Brown Administration have enacted various population management measures to bring the State into compliance with the prison population reduction mandates. In addition, the voters have recently approved ballot measures which have resulted in the ability to lower the prison population. The State has complied with the federal court order since February 2016; however, if the recent trend of growth continues, the inmate population could exceed the mandated cap in the very near future.

In 2013, the Legislature enacted Senate Bill 105 (Steinberg) to provide counties with state funds due to the increased numbers of state inmates being diverted to the local county jails. This is modeled after Senate Bill 678 (Leno) (2009), which allows counties to share in the cost-savings when certain convicted felons do not re-offend and avoid subsequent re-commitment to the State prison system. RCRC

supports continued funding for SB 105/SB 678 programs to ensure that counties and the State minimize recidivism.

RCRC opposes efforts – either via the Legislature or the initiative process – which place additional pressure on the county criminal justice system, particularly any increases to utilization of local jail space. Given that the State and counties are continuing to implement programs and policies associated with criminal justice realignment (Assembly Bill 109 of 2011 and Proposition 47 of 2014), additional time and review must occur before moving forward with any further changes to the local criminal justice system.

**Mitigation for the Expansion of Existing Prisons.** RCRC supports requiring that the State and the California Department of Corrections and Rehabilitation (CDCR) mitigate the local impacts of a new prison facility, or the expansion of an existing one. In addressing these mitigation needs, the State and the CDCR must work with the affected counties and their Boards of Supervisors. The scope of issues for mitigation should include impacts to water services, wastewater treatment/storage/disposal, transportation, healthcare services, education, fire protection, and law enforcement.

**Early Release.** RCRC remains concerned about any effort to reduce the current prison population (which, due to realignment and the approval of recent ballot measures, now contains the most violent and serious offenders) by granting ‘early release’ to offenders. RCRC believes that before any release from state custody can occur, careful assessment of the risk of re-offending is thoroughly carried out. In addition, each inmate shall be fully evaluated regarding rehabilitation and training programs that have occurred while in state custody. Results from risk and needs assessment should be shared with the counties prior to any release. Accompanying proposals to reduce the prison population should include additional state resources provided to local governments in anticipation of increased law enforcement costs and a variety of new and complex social services demands.

**Legal Costs.** RCRC supports state funding for counties’ district attorneys and public defenders for the cost of prosecuting/defending serious/violent felonies that have allegedly been committed at state prison facilities. RCRC also encourages the Legislature to provide counties additional resources, where there is a significant state prison population, to address the costs of detaining persons awaiting trial for crimes allegedly committed while in state prison.

**Social Services.** RCRC believes social services, mental health, and other health programs for state prison inmate parolees that remain under state supervision should be provided and funded by the State. The State should also provide full funding for social services provided to inmate families, rather than allowing those services to fall to counties.

## TELECOMMUNICATIONS



RCRC supports the deployment of new technology in California and the equitable regulatory treatment of all forms of telecommunications services. RCRC strongly encourages both the federal and state governments to focus telecommunications policies to prioritize 100 percent deployment to rural areas. In addition, the expansion of service including the development of redundant systems, in unserved areas and underserved locations should be a secondary priority. High-speed internet access is the link for rural citizens to receive health care, educational opportunities, and promote economic development and business connectivity to the rest of the world. The state and federal government must ensure that legislative and regulatory schemes to promote deployment and competition protect both consumers and local government authority.

**California Advanced Services Fund (CASF).** The California Advanced Services Fund was established to provide financial resources to ensure broadband deployment in unserved areas as well as underserved locations. The Fund is capitalized by an end-user surcharge on all intrastate phone subscriptions; however, the total amount is capped and the authorization to impose the surcharge is set to expire in the next several years. Funds from the CASF are awarded, by the California Public Utilities Commission, on a grant basis to qualified applicants. RCRC supports the continuation of the CASF; however, we recognize that reforms need to be made to the CASF to ensure timely approval of grants as well as providing flexibility to better address underserved populations.

**High-Cost A/High-Cost B Funds.** The High-Cost A Fund was established to provide support to small, private independent telephone corporations to ensure affordable, reliable, high-quality communications services in rural areas of the state. The High-Cost B Fund was established to provide support to telecommunications carriers of last resort (primarily large legacy phone carriers) for providing basic local telephone service to residential customers in high-cost areas. Both the High-Cost A and High-Cost B Funds are capitalized by an [end-user surcharge](#) collected by carriers. RCRC supports the continuation of both Funds to ensure that rural communities continue to have access to basic phone services. RCRC also supports efforts to allow High-Cost A funds to be utilized for the deployment of broadband in territories served by small carriers.

**Landline Relinquishment.** RCRC recognizes that traditional landline-based telephone service subscriptions have decreased. Additionally, landline-based telephone service can be an expensive service to offer in some areas of the state, which may deter carriers from making investments in upgrading their non-landline services. However, RCRC remains concerned with efforts to enact state policies that would allow legacy phone carriers to relinquish their decades-old obligations to provide landline telephone service without a carefully crafted regulatory scheme that guarantees basic consumer protections over the replacement technology. Landline-based service remains the best and most-reliable communication mode in rural areas. RCRC believes that if relinquishment of

landline-based services are to occur, a variety of protections should be afforded to rural areas. These include:

- Equivalent, affordable, and reliable service must be retained
- The burden-of-proof towards viable relinquishment must fall upon the carrier with extensive regulatory review and local input
- Emergency-related services, including 9-1-1, must be secured in a 24 hours-per-day manner
- Assurances that monies saved from providing landline-based services are dedicated to upgrade services, including broadband deployment

RCRC encourages that urbanized areas, where alternative telecommunication modes are prevalent, be the first portions of California to have landline relinquishment in order for a thorough review of replacement services.

**“Dig Once.”** RCRC supports a requirement that the State Department of Transportation (Caltrans) notifies entities and organizations that a right-of-way enhancement is to occur whereby broadband conduit could be installed in conjunction with the improvement of the right-of-way. Many rights-of-way – either state - or locally-owned – allow for conduit underneath or alongside. However, a number of state right-of-ways, particularly in rural areas, contain no broadband conduit. In order to minimize the overall cost of broadband deployment in areas lacking coverage, Caltrans should either install the conduit or allow qualified entities to install that conduit during the construction (commonly known as “Dig Once”). RCRC encourages member counties to review their local policies for ensuring that the placement of conduit can be made when major work occurs on a county-owned right-of-way.

**Emergency Systems.** RCRC recognizes the importance of communication between public safety personnel during emergency situations, and supports the establishment of a dedicated, nationwide, interoperable public safety broadband network. Additionally, all telecommunication providers should be required to observe long standing emergency notification protocols for both the national Emergency Alert System and local emergency announcements.

**Public, Educational, and Governmental Programming and Institutional Networks.** All communications service providers should provide, carry, and support (for both capital and operations expenses), Public, Educational, and Governmental channels. Additionally, providers should continue the commitment to provide Institutional Networks services to public facilities, such as government buildings and libraries, to help connect local governmental services.

RCRC believes that all veterans should be recognized for their service to our country. RCRC supports ensuring that the full panoply of services for veterans is available to those who are residents of rural counties.

**Access to Services.** RCRC supports ensuring veterans have access to the services and benefits to which they are entitled including housing, healthcare, employment, education and training, and community reintegration assistance.

**County Veterans Service Officer Funding.** RCRC supports full funding of the County Veterans Service Officer offices that provide assistance and outreach to California's veterans. Many small and rural counties have staff who are already fulfilling multiple roles and whose time is stretched thin. These offices often fill the need to provide certain niche services utilized by veterans that are unavailable through the county.

**Specialized Training.** Several forms of specialized military training including healthcare, firefighting, and law enforcement have high value in civilian life, but current state law often does not fully recognize that training as equivalent to civilian training in the same fields. These special skills are valuable to rural areas where it is difficult to recruit and retain quality fire, public safety, and medical professionals.

RCRC supports changes to the law that would allow specialized training completed during military service to qualify as training for non-military employment, where appropriate. Many service members are required to repeat education and training in order to receive industry certifications or licenses, even though much of their military training and experience overlaps with credentialed program requirements. Recognizing this specialized training will speed up the re-integration of veterans into the civilian life while strengthening the workforce and economy in rural communities.

**Funding.** RCRC supports full funding for state veterans' programs, especially those that draw down a federal match. Additionally, RCRC supports county efforts to have full flexibility in creating opportunities and giving assistance to veterans in their communities, such as low or no-cost permitting for construction or business licensing.

## **WATER**

Nearly 75 percent of California's available water originates in the northern one-third of the State (north of Sacramento), while over 75 percent of the demand occurs in the southern two-thirds of the State. Much of the available runoff eventually flows into the Sacramento and San Joaquin rivers. Both of these rivers flow through the Central Valley and meet in the Delta. RCRC has been actively involved in a wide variety of water-related issues since its inception and continues to place an emphasis on this issue which is so important to member counties.

**Drought.** RCRC supports state and federal efforts to address the urgent needs of communities and businesses impacted by the ongoing drought. Particularly, in times of drought, RCRC supports modification of requirements that hinder conservation of currently stored water and that add flexibility to the operation of the State's and federal water system while maintaining California's water right priority system.

**State Water Plan.** The State Water Plan (SWP) has become a strategic planning document that describes the role of state government and the growing role of California's regions in managing the State's water resources. RCRC has been an active participant in the ongoing development of the SWP Update as a member of the Public Advisory Committee, and continues to participate in updates. It is important to ensure that the rural county/local government perspective is taken into consideration during the development of the SWP policy recommendations.

**Water Infrastructure.** RCRC supports all cost effective means of increasing California's water supply that are consistent with these Policy Principles. RCRC supports significant new state and federal investment in our statewide infrastructure to help increase regional self-sufficiency for all regions of the State. Water storage gives water managers the flexibility needed to meet multiple needs and provide vital reserves in drier years and will be a key to addressing sustainable groundwater management. Reliance solely on the reallocation of existing supplies to address water supply shortages would potentially be short-sighted, in that serious legal conflicts could ensue. Primary reliance on demand reduction would also be short-sighted as doing so could cause serious economic impacts without increasing the statewide water supply. RCRC supports the development of additional proposed surface storage projects if they are determined to be both feasible and economical.

**Water Infrastructure Financing.** RCRC supports the "beneficiary pays" principle, meaning that beneficiaries who directly benefit from a specific project or program should pay for their proportional share of the costs of the project or program. Costs should not be shifted to those that do not benefit. "Public benefits" should be funded by state and federal sources. "Affordability" should be factored into the determination of the proportional share of the costs. State and federal sources of funding should, for example, fund all or a significant share of the proportional costs for disadvantaged communities and economically distressed areas.

**Federal Jurisdiction.** RCRC strongly opposes any attempt via legislation, rulemaking, or policy issuance to change the Clean Water Act (CWA) to expand federal jurisdiction over wetlands and other water bodies with no physical nexus to federal navigable waters.

**BAY-DELTA**

The Sacramento-San Joaquin Bay-Delta Estuary (Bay-Delta) is the heart of the State's surface water delivery system, and supplies drinking water to 25 million people. This water is vital to the State's multi-trillion dollar economy. The Bay-Delta is also home to 750 plant and animal species, and supports 80 percent of the State's commercial salmon fisheries.

Various activities are ongoing with respect to the Bay-Delta including the development of California WaterFix/California EcoRestore, the implementation of the Delta Stewardship Council's Delta Plan, and the State Water Resources Control Board's (State Water Board) Bay-Delta Plan.

**California WaterFix.** The original proposed Bay-Delta Conservation Plan has been recast as two separate efforts – water conveyance under the California WaterFix Project and habitat restoration under California EcoRestore – and the effort to secure federal Habitat Conservation Plan and State Natural Community Conservation Plan designations has been abandoned.

**Assurances/Water Rights/Area of Origin.** Programs or facilities implemented or constructed, and intended to improve Delta conditions, such as the Delta Plan or California WaterFix, must not result in redirection of unmitigated, adverse impacts to the counties and watershed of origin. Operations at upstream reservoirs impact non-SWP and non- CVP water rights holders. Acceptable assurances must be provided to upstream water right and water entitlement holders that the operation of the SWP and CVP will ensure a stable supply of water to meet the needs of those areas upstream while also serving export interests and meeting requirements in the Delta. State and federal agencies must adhere to state water rights law including state law relating to water rights priorities and area of origin and watershed of origin protections.

**Delta Flows.** The Department of Water Resources (DWR) should continue to be responsible for meeting its obligations for flow-related water quality objectives as required by Decision 1641. California WaterFix proponents have the full responsibility to satisfy any flow obligations required by the State Water Board to mitigate for impacts caused by California WaterFix implementation.

**Fees/Taxes.** Exporters located south of the Delta have agreed to pay for California WaterFix, which is appropriate, as they will directly benefit. The California EcoRestore program should include the details of how it will be financed and any benefits that the public is expected to receive and fund. Costs should be apportioned on the basis of benefits received. Public trust and other public benefits should be paid for by General Obligation (GO) bond proceeds and/or state and federal general tax revenues. RCRC opposes general fee authority for any administrative entity including the Delta Stewardship Council (Council).

**Mitigation.** Areas upstream from the Bay-Delta shall not be required to mitigate impacts to the Bay-Delta that have been caused by the construction and operation of the SWP and CVP.

**Term 91.** Term 91 limits diversions when the SWP and the CVP are contributing water from their stored water to meet water quality standards and other environmental objectives in the Delta. State and/or federal agencies should not apply regulatory authority, such as Term 91, to senior water-right holders or water users relying on area of origin water rights.

**Water Rights.** Water rights and water supplies of upstream communities should not be adversely impacted by the construction, operation, or management of new water conveyance facilities.

**Water Supply Reliability.** New projects will be needed to meet current and future water supply needs in the areas of origin as well as throughout the rest of the State. State policy should support the development of local and regional surface and groundwater storage projects and other local programs to assure local and regional water supply reliability statewide.

**California Water Commission.** The California Water Commission (CWC) will be responsible for allocating the funding for statewide water system operational improvements contained in the 2014 water bond - Proposition 1 – which authorized \$7.545 billion for a variety of water related projects.

Of the \$7.545 billion, Proposition 1 includes \$2.7 billion in funding for the public benefits of water storage projects and authorized the CWC as the responsible agency. The CWC through the Water Storage Investment Program will fund the public benefit of eligible projects. Eligible projects include CALFED surface storage, groundwater storage and groundwater clean-up, conjunctive use and reservoir reoperation, and local and regional surface storage.

The CWC is also required by statute to quantify the public benefits of storage. RCRC will continue to closely monitor the activities of the CWC, and engage as needed on issues of importance to member counties.

**Delta Stewardship Council.** The Council is charged with overseeing the implementation of a comprehensive management plan for the Bay-Delta. RCRC will continue to closely monitor the activities of the Council, and engage in the implementation of the Delta Plan as needed on issues of importance to member counties.

## **FLOOD CONTROL AND MANAGEMENT**

The DWR is the lead agency for FloodSAFE California – a program to improve integrated flood management statewide with a significant emphasis on the Central Valley and the Bay-Delta. Integrated flood management addresses both aspects of

flood risk: taking actions to reduce the frequency and severity of floods, and taking steps to reduce or mitigate the damages caused when floods happen.

Agencies at every level of government have some responsibility for flood control and management, and construction costs are shared among federal, state, and local agencies. Eliminating unacceptable risks of flood damage statewide will take decades and require significant resources.

One of the key issues facing local government is the issue of new development requirements in newly mapped flood prone areas.

**Central Valley Flood Protection Plan.** Implementation of the Central Valley Flood Protection Plan will be conducted through the DWR's regional flood management planning efforts. RCRC supports the development of regional plans that will present the local agencies' and public's perspectives of flood management, and contain a prioritized list of feasible projects that need to be implemented to reduce flood risks in each region.

**Development in Flood Prone Areas/Floodplain Mapping.** RCRC supports federal funding for the continued updating of Federal Emergency Management Agency maps, supplemented by state maps, to assist local governments in better understanding the flood risks from reasonably foreseeable flooding.

**National Flood Insurance Program.** The current National Flood Insurance Program (NFIP) establishes extremely burdensome flood insurance rates and places an economic burden on agricultural communities by imposing highly-restrictive flood protection building regulations. Many agricultural buildings and structures cannot be effectively flood proofed to meet current NFIP standards, but could be built to withstand a flood, making their repair less expensive than existing flood-proofing options. RCRC supports the creation of a new agricultural flood hazard area under the NFIP that allows for replacement and reinvestment in agricultural production, storage, and processing buildings and commercial and community structures in established agricultural areas and rural communities. Flood insurance must be accessible at a meaningful and affordable rate for the property owner.

**Flood Control Subvention Program.** RCRC opposes the reduction and/or elimination of the State share of local flood control subventions. RCRC supports full funding of subvention payments and the reimbursement of past unpaid subventions to local government and local agencies.

**Funding.** RCRC supports significant new state and/or federal investments in California's flood control infrastructure including funding from the State General Fund and the issuance of GO or Revenue Bonds, before the State attempts to impose cost sharing fees/taxes on those who live and work behind levees.

**Land Use Authority.** RCRC opposes state preemption of local land use authority. Land use decisions must remain at the local level.

## **WATER QUALITY**

**Enforcement.** Regulatory water quality enforcement actions should be focused on achieving compliance as opposed to the imposition of punitive financial penalties that serve only to make it more difficult for local agencies to achieve compliance. RCRC supports mandatory minimum penalty relief for small and disadvantaged communities.

**Non-Point Source Discharges.** RCRC supports flexible, cost-effective approaches to monitoring water quality, and scientific evaluation of water quality impacts from agricultural discharge and storm water runoff. Management measures to address non-point sources of pollution should be based on technically and economically feasible control measures.

**Onsite Wastewater Systems.** RCRC opposes new regulatory requirements that restrict the use of onsite wastewater systems unless there is scientific evidence that such restrictions are needed to provide meaningful benefits to water quality.

**Safe Drinking Water Act/Clean Water Act.** RCRC supports efforts to streamline and modernize the federal Safe Drinking Water Act and the federal (CWA).

**Total Maximum Daily Loads.** RCRC supports the integration of the Total Maximum Daily Load (TMDL) process with a local watershed approach to water quality improvement, combined with sustainable levels of state and federal funding and/or technical assistance. RCRC opposes multiple layering of TMDLs within watershed regions. RCRC opposes an exemption from the California Environmental Quality Act (CEQA) for TMDLs. The CEQA process is very important as part of the decision-making process to ensure potentially adverse impacts resulting from TMDL implementation are disclosed and considered.

**Wastewater Discharges.** RCRC supports the review of existing water quality objectives and beneficial use designations in an effort to reduce costly discharge monitoring and permit compliance requirements that do not provide significant improvement in water quality. Where feasible, RCRC encourages the use of wastewater to preserve potable water for beneficial uses, but does not support state or federal mandates on businesses or local governments to reuse wastewater.

**Water Board Governance.** RCRC supports the loosening of federal restrictions that limit the ability of locally elected governmental officials to serve on Regional Water Quality Control Boards because of income restrictions associated with the fact that local jurisdictions are required to have Water Board-approved discharge permits (the “10 Percent Rule”). The 10 Percent Rule has been a major stumbling block for city and county representatives that wish to serve on the regional water boards.



At the State level, RCRC supports elimination of procedural barriers that limit the ability of local government (and other stakeholders) to meaningfully access decision-makers and create challenges in obtaining full and fair hearings on all matters before Regional Water Quality Control Boards.

**Water Treatment Systems.** RCRC supports continued funding assistance for small and economically disadvantaged communities, especially in rural areas, to upgrade water and wastewater treatment systems. Water quality and wastewater discharge regulations are becoming more stringent and will continue to require substantial new investment in water treatment facilities.

**Watershed Management.** RCRC supports local voluntary community-based collaborative watershed management planning and implementation as a means to enhance and protect water quality and other natural resources. RCRC strongly supports policies that make a strong connection between good forest management and watershed health. RCRC encourages the State and federal governments to consider forest projects to improve watershed health.

**Wetlands.** The State Water Resources Control Board (SWRCB) has previously addressed the “gaps” in wetlands protection resulting from the 2001 United States Supreme Court decision in *Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers (Corps)* with the adoption of general waste discharge requirements for minor discharges to non-federal waters in 2004.

The State Water Board staff had expressed a focus toward the adoption of a phased policy to protect wetlands and riparian areas which would expand the definition of “wetlands” beyond that of the federal definition and established Corps standards.

Along those lines, the SWRCB is developing “policy procedures” for discharges of dredged or fill material to “Waters of the State.” The most recent iteration of this policy by the State Water Board modifies the approach but still does not address RCRC’s core policy concerns; namely that the approach continues to be inconsistent around permitting and the definition of wetlands. Absent the clarity, county lead agencies are in no better position and may be in worse position if it leads to delay and litigation.

For example, the Water Boards regulate discharges to ‘waters of the state’ and under the new proposed scheme the wetland definition is not jurisdictional and waters of the state is not defined which raises a host of issues and each of the nine Water Boards will continue to consider whether a wetland is a water of the state on a case by case basis leading to continuing inconsistencies in its application.

RCRC is concerned with the proposed expansion of wetlands regulation and will continue to participate in the policy development discussions.

## **WATER SUPPLY**

RCRC believes that the State should take the lead role in planning and implementing those features of the State's water infrastructure that can only be met through statewide efforts. RCRC supports pursuing water supply and reclamation funding at the federal level as part of a broader Western Water measure that also contains a watershed component.

**Groundwater.** RCRC supports the management of groundwater at the local level. The effective and efficient management of water quality and supply for beneficial uses is best managed by local jurisdictions. RCRC supports adequate state and federal technical and financial assistance for local agencies in order to either remediate groundwater overdraft or maintain groundwater levels at a safe yield. California's groundwater resources are diverse and one size fits all state mandates should be avoided. RCRC supports the adoption of county ordinances to protect groundwater against overdraft from out-of-county exports.

**Sustainable Groundwater Management Act.** In 2014, landmark water legislation was chaptered establishing the Sustainable Groundwater Management Act (SGMA) thus providing a framework for local agencies to develop plans and implement strategies to sustainably manage groundwater resources within a defined period.

RCRC has and will continue to engage with state agencies and all stakeholders throughout the development of the regulations and implementation of SGMA to ensure the policy concerns are addressed.

**Integrated Regional Water Management.** RCRC supports state and federal funding assistance to regions so they can leverage local dollars to develop and implement Integrated Regional Water Management Plans (IRWMPs). Integrated regional water management will play an important role in meeting the State's water needs and aid regional self-sufficiency. RCRC supports the development of IRWMPs through a public, grassroots planning process that includes all interested stakeholders, especially when developing the IRWMPs goals, objectives and evaluation criteria. IRWMPs should provide access to state funding for water and wastewater projects that benefit disadvantaged communities and small rural communities. IRWMPs governance structure should not override local jurisdiction authority. Elected jurisdiction representatives voting capacity should not be minimalized to a nonrelevant factor through increased IRWMP membership of non-government entities. Acceptance of grant awards should not require applicant's acceptance of policy, goals, objectives not established or in draft form.

**Seawater and Brackish Water Desalination.** RCRC supports seawater and brackish groundwater desalination where it is a viable option. Additionally, RCRC supports the streamlining of the approval process for these projects, and state and federal funding for needed research. Seawater and brackish water desalination projects have the potential to play an important role in the State's water supply portfolio, and to help realize the overall goal of water self-sufficiency for all regions

of the State. This benefits the State as a whole and helps protect water areas of origin.

**Urban Water Conservation/Agricultural Water Use Efficiency.** State and local urban water conservation and agricultural water use efficiency programs should be flexible and incentive-based. The term “water conservation” is used to mean any reduction in applied water use and “water use efficiency” is used to mean using water more efficiently to reduce demand for a given set of beneficial uses. To be successful, urban water conservation and agricultural water use efficiency programs should be designed and implemented by locally-elected or appointed officials. Local officials are in the best position to determine what activities and/or actions are locally cost-effective. Implementation of urban water conservation and agricultural water use efficiency programs must be consistent with existing state law that protects against loss of water rights for conserved water (Water Code Section 1011.)

**Water Recycling.** RCRC supports increased utilization of recycled water and continued state and federal support through appropriate technical and financial assistance. Recycled water increases the available water supply, reduces the demand for freshwater supplies, reduces wastewater discharges into rivers, creeks, bays, and estuaries, and increases regional self-sufficiency. Water that is developed through recycling should be credited toward local water use reduction goals.

## **WATER TRANSFERS**

RCRC generally supports locally-approved short-term water transfers between willing buyers and willing sellers as one way to meet short-term needs and maximize existing resources. Long-term transfers that involve permanent fallowing/retirement of non-drainage impacted agricultural lands or provide for the substitution of groundwater for transferred surface water should be designed with consideration of how the transfer might affect third parties and the social and economic conditions in the county. Support by the local community should be a key consideration in whether or not to pursue a transfer. Water transfer revenues should be used to provide local benefits, such as: flood protection; water supply; water conservation; water quality; maintenance of low water costs for local water users; and environmental enhancement.

Transfers involving the permanent fallowing/retirement of agricultural lands should include a monitoring program to track changes within the region and a third-party action plan. Groundwater substitution transfers should include a groundwater monitoring and reporting program and a third-party action plan.

**Water Rights.** RCRC supports the State’s existing water right and water right priority system. The vested water rights of water users must be inviolate. Water rights established by state law and state laws relating to use of water should be respected by federal agencies.



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** December 20, 2016

**Departments: Public Works**

**TIME REQUIRED** 10 minutes (5 minute presentation; 5 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Garrett Higerd

**SUBJECT** 2017 Airport Capital Improvement Plans for Lee Vining Airport and Bryant Field

### AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Annual Airport Capital Improvement Plans prioritize projects for the next five years at both Mono County airports - Bryant Field and Lee Vining Airport.

### RECOMMENDED ACTION:

Approve 2017 ACIPs for Lee Vining Airport and Bryant Field. Approve submittal of FAA grant applications for crack seal and slurry seal work on airport tie down aprons in 2017.

### FISCAL IMPACT:

Projects will be funded with \$89,000 in FAA grant funds and a 10% local match from the airport enterprise fund. If approved, the Airports budget will be updated to reflect the addition of these projects during mid-year budget hearings.

**CONTACT NAME:** Garrett Higerd

**PHONE/EMAIL:** 760-924-1802 / ghigerd@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH  
ATTACHMENTS TO THE OFFICE OF  
THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY**  
**32 DAYS PRECEDING THE BOARD MEETING**

**SEND COPIES TO:**

### MINUTE ORDER REQUESTED:

YES  NO

### ATTACHMENTS:

Click to download

[staff report and exhibits](#)

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
12/14/2016 11:02 AM	County Administrative Office	Yes
12/13/2016 12:39 PM	County Counsel	Yes
12/14/2016 2:01 PM	Finance	Yes



# MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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POST OFFICE BOX 457 • 74 NORTH SCHOOL STREET • BRIDGEPORT, CALIFORNIA 93517  
760.932.5440 • Fax 760.932.5441 • [monopw@mono.ca.gov](mailto:monopw@mono.ca.gov) • [www.monocounty.ca.gov](http://www.monocounty.ca.gov)

Date: December 20, 2016  
To: Honorable Chair and Members of the Board of Supervisors  
From: Garrett Higerd, County Engineer  
Re: 2017 Airport Capital Improvement Plans (ACIPs) for Lee Vining Airport and Bryant Field

### **Recommended Action:**

Receive staff report and provide any desired direction to staff. Approve 2017 ACIPs for Lee Vining Airport and Bryant Field. Approve submittal of FAA grant applications for crack seal and slurry seal work on airport tie down aprons in 2017.

### **Fiscal Impact:**

Projects will be funded with \$89,000 in FAA grant funds and a 10% local match from the airport enterprise fund. If approved, the Airports budget will be updated to reflect the addition of these projects during mid-year budget hearings.

### **Background:**

Every year Public Works prepares Airport Capital Improvement Plans that prioritize projects for the next five years at both Mono County airports - Bryant Field and Lee Vining Airport. See 2017 ACIP Summaries attached as Exhibits 1 and 2. Mono County's airports were re-classified as "unclassified" by the FAA in 2014 and thus we no longer get \$100,000 per airport per year for regular maintenance and improvements. In the future, we will only be eligible to apply for competitive grants to maintain our primary runways, taxiways, and tiedown aprons.

Our last remaining \$89,000 of "earmarked" FAA grant funds will expire in 2017 if not used and the tiedown aprons at both airports need crack sealing and slurry sealing badly. These projects are eligible but grant applications must be submitted by the end of the calendar year.

### ***Strategic Plan Focus Area: Infrastructure***

Please contact me at 760.924.1802 or by email at [ghigerd@mono.ca.gov](mailto:ghigerd@mono.ca.gov) if you have any questions regarding this report.

Respectfully submitted,

Garrett Higerd, PE  
County Engineer

Attachments: Exhibit 1 – Lee Vining Airport 2017 ACIP Summary of Project Costs  
Exhibit 2 – Bryant Field 2017 ACIP Summary of Project Costs

**LEE VINING AIRPORT  
LEE VINING, MONO COUNTY, CALIFORNIA**

**AIRPORT CAPITAL IMPROVEMENT PROGRAM - 2017-2020**

**SUMMARY OF PROPOSED PROJECTS**  
(Based on 2016 Unit Prices)

Project Priority/ No.	Shown on ALP	Project Type	Development Year	Environmental	Development Type	Description	Total Project Cost	F.A.A. Participation	Sponsor Participation
1	Yes	D	2017	2016	Design/Construct	Joint Seal & Slurry Seal - Tie Down Apron	\$ 36,000	\$ 32,400	\$ 3,600
2	Yes	P	2017	--	Planning	Airport Land Use Compatibility Plan (ALUC)	State Eligible Only		
<b>Total 2017</b>							<b>\$ 36,000</b>	<b>\$ 32,400</b>	<b>\$ 3,600</b>
3			2018			No Projects Scheduled	\$ -	\$ -	\$ -
<b>Total 2018</b>							<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
4			2019			No Projects Scheduled	\$ -	\$ -	\$ -
<b>Total 2019</b>							<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
5			2020			No Projects Scheduled	\$ -	\$ -	\$ -
<b>Total 2020</b>							<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Totals</b>							<b>\$ 36,000</b>	<b>\$ 32,400</b>	<b>\$ 3,600</b>

EXHIBIT 1

**BRYANT FIELD  
BRIDGEPORT, MONO COUNTY, CALIFORNIA  
AIRPORT CAPITAL IMPROVEMENT PROGRAM - 2017-2020**

**SUMMARY OF PROJECT COSTS  
(Based on 2016 Unit Prices)**

Project Priority/ No.	Shown on ALP	Project Type	Development Year	Environmental	Development Type	Description	Total Project Cost	F.A.A. Participation	Sponsor Participation
1	Yes	D	2017	Submit 2016	Design-Construct	Joint Seal & Slurry Seal - Tie Down Apron	\$ 72,000	\$ 64,800	\$ 7,200
2	Yes	P	2017	--	Planning	Airport Land Use Compatibility Plan (ALUC)	State Eligible Only		
<b>Total 2017</b>							<b>\$ 72,000</b>	<b>\$ 64,800</b>	<b>\$ 7,200</b>
3			2018			No Projects Scheduled	\$ -	\$ -	\$ -
<b>Total 2018</b>							<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
4			2019			No Projects Scheduled	\$ -	\$ -	\$ -
<b>Total 2019</b>							<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
5			2020			No Projects Scheduled	\$ -	\$ -	\$ -
<b>Total 2020</b>							<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Totals</b>							<b>\$ 72,000</b>	<b>\$ 64,800</b>	<b>\$ 7,200</b>

EXHIBIT 2





**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 20, 2016

**Departments: Public Works**

**TIME REQUIRED** 1.25 hours (15 minute presentation;  
60 minute discussion)      **PERSONS APPEARING BEFORE THE BOARD** Tony Dublino

**SUBJECT** South County Facility Workshop

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation by Tony Dublino, updating Board on the ongoing analysis of a County owned facility in Mammoth Lakes.

**RECOMMENDED ACTION:**

Receive presentation and provide any desired direction to staff.

**FISCAL IMPACT:**

None at this time.

**CONTACT NAME:** Tony Dublino

**PHONE/EMAIL:** 760 932 5453 / tdublino@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH  
ATTACHMENTS TO THE OFFICE OF  
THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY**  
**32 DAYS PRECEDING THE BOARD MEETING**

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

<p>Click to download</p> <p> <a href="#">Staff Report</a></p>
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**History**

Time	Who	Approval
12/14/2016 5:18 PM	County Administrative Office	Yes

12/15/2016 1:16 AM

County Counsel

Yes

12/15/2016 7:36 AM

Finance

Yes



# MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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Post Office Box 457 • 74 North School Street • Bridgeport, California 93517  
(760) 932-5440 • Fax (760) 932-5441 • [monopw@mono.ca.gov](mailto:monopw@mono.ca.gov)

Jeff Walters, Public Works Director

Garrett Higerd, PE; County Engineer

**Date:** December 20, 2016  
**To:** Honorable Board of Supervisors  
**From:** Tony Dublino, Environmental Services Manager  
**Subject:** South County Facility Workshop

**Recommended Action:** No action is requested at this time. Receive presentation and provide additional direction to staff.

**Fiscal Impact:** None at this time.

Staff will provide a brief history and update on the analysis of a County facility on the McFlex parcel. Issues to be discussed include the history of the McFlex Parcel and existing Agreements, the current status of coordination with the Town regarding a joint facility and shared infrastructure, cost estimates presented in the Collaborative Design Studio Report, and financing options.

The Board will be requested to offer input and comments on the County's participation in a civic center and/or a joint facility with the Town, and to advise staff on potential next steps.

If you have any questions regarding this item, please contact me at (760) 932-5453.

Respectfully submitted,

A handwritten signature in blue ink that reads "Tony Dublino".

Tony Dublino  
Environmental Services Manager



**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**     December 20, 2016

**TIME REQUIRED**

**SUBJECT**             Closed Session--Human Resources

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, and Dave Butters. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

SUBMIT THE ORIGINAL DOCUMENT WITH  
ATTACHMENTS TO THE OFFICE OF  
THE COUNTY ADMINISTRATOR  
***PRIOR TO 5:00 P.M. ON THE FRIDAY  
32 DAYS PRECEDING THE BOARD MEETING***

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**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

<p><a href="#">Click to download</a></p> <p>No Attachments Available</p>
--

**History**

Time

Who

Approval



**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

## **REGULAR AGENDA REQUEST**

Print

**MEETING DATE**     December 20, 2016

**TIME REQUIRED**

**SUBJECT**             Closed Session - Exposure to  
                                Litigation

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### **AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: Two.

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### **RECOMMENDED ACTION:**

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### **FISCAL IMPACT:**

---

### **CONTACT NAME:**

**PHONE/EMAIL:** /

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32 DAYS PRECEDING THE BOARD MEETING**

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### **MINUTE ORDER REQUESTED:**

YES  NO

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### **ATTACHMENTS:**

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No Attachments Available

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#### **History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
12/14/2016 10:22 AM	County Administrative Office	Yes
12/14/2016 11:55 AM	County Counsel	Yes
12/14/2016 2:12 PM	Finance	Yes



**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    December 20, 2016

**TIME REQUIRED**

**SUBJECT**            Afternoon Session

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

**THE REGULAR AGENDA WILL RECONVENE AFTER CLOSED SESSION IF NECESSARY**

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

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THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY  
32 DAYS PRECEDING THE BOARD MEETING**

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**History**

Time

Who

Approval