

**Rural County Representatives of California  
Board of Directors Meeting  
Wednesday, August 14, 2019 – 9:00 a.m.  
1215 K Street, Suite 1650 – Board Room  
Sacramento, CA 95814**

**MINUTES**

**Call to Order, Determination of Quorum and Self Introductions**

Chair, Supervisor Matt Kingsley, Inyo County, called the meeting to order at 9:04 a.m. A quorum was determined at that time. Those present:

<b><u>Supervisor</u></b>	<b><u>County</u></b>
David Griffith	Alpine
Brian Oneto	Amador
Doug Teeter	Butte
Jack Garamendi	Calaveras
Denise Carter	Colusa
Gerry Hemmingsen	Del Norte
Lori Parlin	El Dorado
John Viegas	Glenn
Rex Bohn	Humboldt
Matt Kingsley	Inyo
E.J. Crandell	Lake
Aaron Albaugh	Lassen
David Rogers	Madera
Kevin Cann	Mariposa
Ted Williams	Mendocino
Daron McDaniel	Merced
Geri Byrne	Modoc
Stacy Corless	Mono
Chris Lopez*	Monterey
Diane Dillon	Napa
Dan Miller	Nevada
Jim Holmes	Placer
Anthony Botelho	San Benito
John Peschong	San Luis Obispo
Les Baugh	Shasta
Lee Adams	Sierra
Michael Kobseff	Siskiyou
James Gore	Sonoma
Mat Conant	Sutter
Bob Williams	Tehama

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\* Seated as part of agenda item 8.b. "Approval and Acceptance of Monterey County Membership and Revision of RCRC Bylaws to Assign Monterey County to Region 5 - ACTION" at this meeting

Bobbi Chadwick	Trinity
Kuyler Crocker	Tulare
Sherri Brennan	Tuolumne
Randy Fletcher	Yuba

### **Absent**

Michael Kelley	Imperial
Kevin Goss	Plumas
Gary Sandy	Yolo

### **Others in Attendance**

Supervisor Miles Menetrey, Mariposa County  
Connie Conway, USDA Farm Service Agency  
Jeffrey Thorsby, Nevada County  
Jamme Yang, Yuba County  
Ed Horton, Placer County Water Agency  
Elizabeth Espinosa, Hurst Brooks Espinosa LLC  
Crystal Crawford, Ygrene Energy Fund  
Nick Cronenwett, California State Association of Counties  
Jennifer Lippi, Silvers HR  
Robert Bendorf Jr.  
Randy Hanvelt

### **Staff in Attendance**

Greg Norton, President and CEO  
Craig Ferguson, Vice President  
Lisa McCargar, Chief Financial Officer  
Justin Caporusso, Vice President External Affairs  
Paul A. Smith, Vice President Governmental Affairs  
Mary-Ann Warmerdam, Senior Legislative Advocate  
Tracy Rhine, Legislative Advocate  
John Kennedy, Legislative Advocate  
Staci Heaton, Senior Regulatory Affairs Advocate  
Arthur Wylene, General Counsel  
Barbara Hayes, Chief Economic Development Officer  
Maggie Chui, Senior Governmental Affairs Coordinator  
Leigh Kammerich, Regulatory Affairs Specialist

### **Pledge of Allegiance**

### **Approval of Minutes – June 19, 2019**

Chair, Supervisor Matt Kingsley, called for approval of the minutes from the June 19, 2019 Board of Directors Meeting.

**Supervisor Dan Miller, Nevada County, motioned to approve the minutes from the June 19, 2019 Board of Directors Meeting. Supervisor Michael Kobseff, Siskiyou County, seconded the motion. Motion passed.**

**Abstaining: Supervisor Doug Teeter, Butte County; Supervisor David Rogers, Madera County; Supervisor Ted Williams, Mendocino County; Supervisor Jim Holmes, Placer County; Supervisor Anthony Botelho, San Benito County; Supervisor James Gore, Sonoma County; Supervisor Bobbi Chadwick, Trinity County; Supervisor Gary Sandy, Yolo County**

### **RCRC Chair's Report**

Chair, Matt Kingsley, welcomed fellow Supervisors to the August RCRC Board of Directors meeting.

Supervisor Kingsley shared that he will be providing key testimony in the Assembly Appropriations Committee on Senate Bill 402 (Borgeas), which addresses Inyo County's combined-use roadways pilot program.

### **Member County Concerns and Issues**

Supervisor Gerry Hemmingsen, Del Norte County, spoke about Assembly Bill 5 (Gonzalez) regarding independent contractors, and his concern that it would negatively impact Del Norte County's fishing industry.

Supervisor Hemmingsen also reported a recent inmate suicide and the influx of hardcore criminals in the Del Norte County jail.

Supervisor David Griffith, Alpine County, shared his concern regarding the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (CDFW) utilizing a chemical that kills all life in streams and rivers that runs within the Great Basin.

Supervisor Doug Teeter, Butte County, conveyed his concern regarding the recent safety power shut-offs by Pacific Gas & Electric that resulted in the power shut-off at the Butte County jail.

Supervisor Dan Miller, Nevada County, announced that Nevada County has selected a new County Counsel. Supervisor Miller thanked Arthur Wylene, General Counsel, for his participation during the interview process.

Supervisor Miller also shared that California Insurance Commissioner Ricardo Lara is slated to meet with a number of counties affected by wildfire risk to address the homeowners' insurance issue. Commissioner Lara will be conducting a community town hall meeting in Grass Valley later this month.

Supervisor Jim Holmes, Placer County, shared that Placer County will be hosting Commissioner Lara later this month for a community town hall meeting in Auburn.

Supervisor Sherri Brennan, Tuolumne County, expressed her concern regarding inadequate law enforcement presence on public lands. While the Tuolumne County Sheriff's Office is responding to calls, there is no way to recoup the cost. Tuolumne County is looking for ways to be reimbursed as the costs are extensive.

Supervisor Michael Kobseff, Siskiyou County, shared that Siskiyou County recently reached a settlement with the Environmental Law Foundation on the public trust doctrine regarding groundwater.

Supervisor James Gore, Sonoma County, voiced his concern regarding safety power shut-off impacts, and invited RCRC Board Members and RCRC staff to join him at a meeting with the Governor's Office of Emergency Services' Director Mark Ghilarducci later today.

In response to Supervisor Hemmingsen's comment regarding AB 5, Supervisor Bob Williams, Tehama County, shared that Tehama County has been receiving letters from franchisee owners seeking amendments to the bill.

Supervisor Williams also spoke about a notice he received from CDFW that the Center for Biological Diversity filed to have a specified mountain lion species added to the list of endangered species. Supervisor Williams is concerned how the listing of this mountain lion species could create issues for forest management.

Supervisor Rex Bohn, Humboldt County, shared that according to a report he came across, this year's wildfire season has been less damaging compared to last year.

Supervisor Kuyler Crocker, Tulare County, shared that Tulare County has recently settled a multi-year lawsuit with the Sierra Club on its Animal Confinement Facilities Plan.

### **Public Comments**

None.

### **President's Report**

Greg Norton, President & CEO, provided a brief update on recent activities, including RCRC officers and leadership attending the National Association of Counties' Annual Conference in Las Vegas, and various meetings attended in Washington, D.C. RCRC staff also met with RCRC Board Members in Butte, Lake, and Merced Counties, and others in recent weeks.

To date, RCRC has secured 41 sponsorships for the 2019 RCRC Annual Meeting, which will be held in South Lake Tahoe in El Dorado County.

### **Approval and Acceptance of Monterey County Membership and Revision of RCRC Bylaws to Assign Monterey County to Region 5**

Greg Norton discussed the membership approval and acceptance process of Monterey County per RCRC's Bylaws. If approved by the RCRC Board of Directors, Monterey

County would place RCRC's membership at thirty-seven (37) of the fifty-eight (58) counties, and would begin membership effectively immediately. At their July 10, 2019 Meeting, the RCRC Executive Committee discussed at length the issue of Monterey County becoming a member of RCRC.

Supervisor Anthony Botelho, San Benito County, and Supervisor John Peschong, San Luis Obispo County, spoke in support of Monterey County becoming a member of RCRC, noting that Monterey County has been a partner with San Benito County and San Luis Obispo County on many regional issues.

**Recommendations:**

It was recommended that the RCRC Board of Directors approve the following:

- Accept Monterey County as an RCRC member county;
- Set Monterey County's annual membership dues at \$16,000, prorated to \$13,330 for the remainder of 2019-2020 fiscal year; and,
- Approve the proposed revision to the RCRC Bylaws to assign Monterey County to Region 5.

**Supervisor Rex Bohn, Humboldt County, motioned to approve the recommendations. Supervisor Jim Holmes, Placer County, seconded the motion. Motion passes with all Supervisors present voting "Aye."**

**Guest Speaker**

Jennifer Lippi, Senior Human Resources Consultant, Silvers HR, provided a 1-hour "Respect in the Workplace" training to the RCRC Board of Directors. The training concluded with RCRC requesting RCRC Board Members to acknowledge receipt of RCRC's Anti-Harassment, Discrimination and Retaliation Policy.

**President/CEO Annual Compensation**

Chair, Supervisor Matt Kingsley and the RCRC Executive Committee addressed the RCRC Board of Directors on how they derived to the unanimous decision to approve the RCRC President/CEO's annual compensation. At their July 10, 2019 Meeting, the RCRC Executive Committee completed the annual performance evaluation.

The RCRC Board of Directors discussed at length the RCRC President/CEO's performance and annual compensation.

**Recommendation:**

It was recommended that the RCRC Board of Directors approve a 5 percent increase in the President/CEO's annual compensation to \$463,828 effective June 27, 2019.

**Supervisor Randy Fletcher, Yuba County, motioned to approve the recommendations on the President/CEO Annual Compensation. Supervisor John Viegas, Glenn County, seconded the motion. Motion passed with all Supervisors present voting "Aye."**

### **RCRC Annual Meeting**

Justin Caporusso, Vice President External Affairs, provided a brief update on RCRC's 2019 Annual Meeting. Thus far, over 180 attendees have registered. This year's program will feature eight panels discussing a wide range of topics on critical issues shaping California's future.

Mr. Caporusso encouraged RCRC Member Counties to participate in the Basket Drawing and Auction, and to submit a detailed inventory of the basket contents to Sanjay Lee, Financial Analyst, a week prior to the meeting.

### **NACo Annual Conference Update**

RCRC's officers and RCRC staff attended the National Association of Counties' (NACo) Annual Conference July 11-15, 2019 in Las Vegas, Nevada. Chair, Supervisor Matt Kingsley; First Vice Chair, Supervisor Daron McDaniel, Second Vice Chair, Supervisor Stacy Corless; Immediate Past Chair, Supervisor Rex Bohn; Supervisor Kevin Cann, Mariposa County, who serves as NACo's Western Interstate Region (WIR) First Vice President; and, Supervisor Lee Adams, who serves as RCRC's NACo's WIR representative were in attendance. The supervisors provided a brief overview on the meetings they attended and the discussions that were held.

### **Local Juvenile Justice Detention Facilities – Challenges and Exploration of Potential Future Uses**

Paul A. Smith and Elizabeth Howard Espinosa, Partner, Hurst Brooks Espinosa LLC, provided an overview of the juvenile justice system and concerns regarding the costs of operating juvenile detention facilities in the face of declining populations. Mr. Smith pointed out that while there are fiscal and ideological aspects regarding the topic of local juvenile justice detention facilities, RCRC will be focusing on the fiscal aspect.

Ms. Espinosa highlighted three potential options, including: proactively pursue regional approaches to provide intensive treatment/housing services; approach the state to develop agreements for counties to opt-in to offer intensive treatment and housing services in a local facility; and/or, repurpose facilities for a different population cohort.

The RCRC Board of Directors shared current circumstances surrounding the juvenile justice financing and operational challenges affecting their respective counties.

To assist RCRC in developing a range of options for RCRC Member Counties to consider, Mr. Smith and Ms. Espinosa asked RCRC Board Members to provide their input and insight on a survey attached in the August RCRC Board of Directors meeting Main Packet. Surveys should be returned to Mr. Smith by October 1, 2019 so that RCRC can begin developing an advocacy strategy.

### **Assembly Bill 1783 (R. Rivas) – Agricultural Employee Housing**

John Kennedy, Legislative Advocate, provided an overview of Assembly Bill 1783 (R. Rivas), which seeks to increase the supply of housing for agricultural workers and their families by establishing a streamlined, ministerial permit process for agricultural employee housing located in agricultural areas. It also restricts the use of state funding for H-2A worker housing. RCRC's key focus is streamlining the permitting process for family housing.

RCRC expressed concerns with the initial version of AB 1783; however, the author accepted numerous amendments offered by RCRC staff. The current version of AB 1783 would ensure adequate housing units to low-income farmworkers and their families while preserving local authority to impose objective development standards, permit and enforce facility operators, and ensure that projects are adequately served by existing infrastructure.

The RCRC Board of Directors discussed at length the pros and cons of the bill as it pertains to RCRC Member Counties.

#### **Staff Recommendation**

RCRC staff recommended the RCRC Board of Directors adopt a "Support" position for AB 1783.

**Supervisor Anthony Botelho, San Benito County, motioned to adopt a "Support" position on Assembly Bill 1783. Supervisor Dan Miller, Nevada County, seconded the motion.**

**A substitute motion was presented: Supervisor Michael Kobseff, Siskiyou County, motioned to adopt a "Neutral" position on Assembly Bill 1783. Supervisor Geri Byrne, Modoc County, seconded the motion. Motion passes by the following roll call vote taken:**

**Aye: Supervisor Doug Teeter, Butte County; Supervisor Jack Garamendi, Calaveras County; Supervisor Denise Carter, Colusa County; Supervisor Gerry Hemmingsen, Del Norte County; Supervisor Lori Parlin, El Dorado County; Supervisor John Viegas, Glenn County; Supervisor Rex Bohn, Humboldt County; Supervisor Aaron Albaugh, Lassen County; Supervisor David Rogers, Madera County; Supervisor Ted Williams, Mendocino County; Supervisor Daron McDaniel, Merced County; Supervisor Geri Byrne, Modoc County; Supervisor Les Baugh, Shasta County; Supervisor Michael Kobseff, Siskiyou County; Supervisor Bob Williams, Tehama County; Supervisor Bobbi Chadwick, Trinity County; Supervisor Sherri Brennan, Tuolumne County; Supervisor Randy Fletcher, Yuba County**

**No: Supervisor David Griffith, Alpine County; Supervisor Brian Oneto, Amador County; Supervisor Matt Kingsley, Inyo County; Supervisor E.J**

**Crandell, Lake County; Supervisor Stacy Corless, Mono County; Supervisor Chris Lopez, Monterey County; Supervisor Dan Miller, Nevada County; Supervisor Jim Holmes, Placer County; Supervisor Anthony Botelho, San Benito County; Supervisor John Peschong, San Luis Obispo County; Supervisor Lee Adams, Sierra County; Supervisor Kuyler Crocker, Tulare County**

**Abstain: Supervisor Kevin Cann, Mariposa County**

**Absent: Supervisor Diane Dillon, Napa County; Supervisor James Gore, Sonoma County, Supervisor Mat Conant, Sutter County**

### **State Legislative Update**

The Legislature adjourned for Summer Recess on July 12, 2019, and reconvened activities on August 12, 2019. Both houses of the Legislature are slated to adjourn on September 13, 2019. RCRC staff will provide an update on the final weeks of the 2019 Legislative Session at the September RCRC Board of the Directors meeting.

Tracy Rhine, Legislative Advocate, reported on the following:

- Assembly Bill 1484 (Grayson), which aims to limit the ability of local governments to impose development impact fees. AB 1484 remains fluid, and amendments are expected to be released soon.

John Kennedy, Legislative Advocate, reported on the following:

- Assembly Bill 394 (Obertnolte), which expedites fire safety improvements for subdivisions that are at significant fire risk and lack a secondary egress route.
- Assembly Bill 1144 (Friedman), which requires the California Public Utilities Commission to establish pilot projects to deploy energy storage and distributed energy systems to critical infrastructure in high-fire threat districts to support resiliency during deenergizing events.
- Senate Bill 167 (Dodd), which requires electric utility de-energization protocols to mitigate impacts on Californians who rely on life-support equipment.
- Senate Bill 209 (Dodd), which establishes a state wildfire warning center.
- Senate Bill 560 (McGuire), which seeks to improve local response to utility de-energization events.

In response to RCRC Board Members' interest in Senate Bill 153 (Wilk), Paul A. Smith and Arthur Wylene provided an update. SB 153 would construct a more robust state regulatory structure for the cultivation and testing of industrial hemp. RCRC staff has engaged with the author's office and sponsors to secure a number of amendments. RCRC will continue to monitor the bill as it advances through the legislative process.

### **Utility Wildfire Fund Legislative Package**

Staci Heaton, Regulatory Affairs Advocate, provided an overview of the recently-enacted package of bills (Assembly Bill 1054, Assembly Bill 110, and Assembly Bill 111), which established a new wildfire securitization fund and wildfire mitigation scheme for the state's



three major investor-owned utilities (IOUs). At their July 10, 2019 Meeting, the RCRC Executive Committee and RCRC staff discussed the package as it was awaiting action by the Assembly, and was subsequently signed by Governor Newsom.

Ms. Heaton outlined the three major components, including require IOUs to invest heavily in wildfire mitigation efforts, revise how a utility is deemed to be a “prudent manager,” and establish a framework for a wildfire liability securitization fund.

RCRC expressed concerns with the initial version of AB 1054, particularly as it relates to the structure of the California Wildfire Safety Advisory Board (Board), which would have exempted it from the Bagley-Keene Open Meeting Act. RCRC believes a public process is crucial when the Board is tasked with developing recommendations. Additionally, while the package keeps IOUs solvent and provides wildfire assistance to victims for future wildfires, the package appears to be too complex to fully guarantee what the ultimate outcome will be regarding wildfire prevention measures, utility de-energization practices, and ratepayer impacts. The RCRC Board of Directors discussed at length the impact the package may have on their respective counties.

### **Federal Legislative Update**

Paul A. Smith provided a brief update on issues at the federal level that are of importance to RCRC Member Counties, including cannabis banking, Federal Payment in Lieu of Taxes (PILT), rural broadband, telecommunications, Secure Rural Schools, forestry and wildfire, and fiscal 2020 appropriations. Mr. Smith noted that federal water issues will be discussed under the Water Issues Update in the August RCRC Board of Directors meeting Supplemental Packet.

Mr. Smith shared that Congress is currently in recess and will return on September 9, 2019. In early September, Supervisor Matt Kingsley, Inyo County, Supervisor Daron McDaniel, Merced County, and Supervisor Kevin Cann, Mariposa County, will join RCRC staff in Washington D.C. to attend the National Association of Counties’ 2019 PILT Fly-In, which allows county officials to meet with members of Congress and key staff to share the importance of Federal PILT payments to counties.

### **Water Issues Update**

Mary-Ann Warmerdam provided a brief update on issues involving California water policy, including the closing-out of Voluntary Agreements to meet the criteria as outlined in the Bay-Delta Water Quality Plan; the impending January 2020 deadline for the adoption of the Sustainable Groundwater Management Act; and, the reconfiguration of the California WaterFix project. Ms. Warmerdam also spoke briefly about the status of Senate Bill 1, which is a priority for the Senate President pro Tempore Toni Atkins, and addresses California’s regulatory structure vis-à-vis recent roll-back of federal regulations.

On the federal issues front, Ms. Warmerdam spoke on the RCRC-supported Secure Access for the Central Valley and Enhancing (SAVE) Water Resources Act by Representative Josh Harder (D-Stanislaus), which would increase water storage in California, promote innovation, and invest in rural water infrastructure. Representative

Harder also recently introduced the Water Resources Research Amendments Act, which would reauthorize a discontinued program that was designed to create the water resources research institutions with a focus on finding locally-tailored solutions to address water challenges. Ms. Warmerdam also highlighted the Drought Resiliency and Water Supply infrastructure Act by Senators Cory Gardner (R-Colorado) and Dianne Feinstein, which would extend the Water Infrastructure Improvements for the Nation Act for an additional five years. Ms. Warmerdam shared that Senator Kamala Harris is slated to introduce a Water Justice Act that would invest billions in projects to provide safe and affordable drinking water.

In July, RCRC was invited, upon recommendation from the National Association of Counties', to participate at the National Oceanic and Atmospheric Administration's 2<sup>nd</sup> National Drought Forum in Washington, D.C. Supervisor Daron McDaniel, Merced County, testified before the forum and discussed the California drought of 2012-2016 and its lasting impacts on the local ecosystem, agricultural economy, and the state's groundwater aquifers.

### **Environmental Services Joint Powers Authority Update**

Staci Heaton provided a brief update on the Rural Counties' Environmental Services Joint Powers Authority's (ESJPA) recent activities, including Senate Bill 1383 Short-Lived Climate Pollutants regulations, the adoption of a new recycling and disposal reporting system, investigatory orders to determine the presence of Per- and Polyfluoroalkyl Substances in selected landfills across the state, Storm Water Industrial General Permit, and used oil and tire amnesty grants. Ms. Heaton also provided an agenda overview of tomorrow's ESJPA board meeting, which would include an in-depth discussion on SB 1383 implementation.

### **Adjournment**

Chair, Supervisor Matt Kingsley, adjourned the RCRC Board of Directors Meeting at 2:14 p.m.