

**Rural County Representatives of California
Board of Directors Meeting
Friday, September 27, 2013 – 8:30 a.m.
The Lake Tahoe Resort Hotel
4130 Lake Tahoe Blvd., South Lake Tahoe, CA 96150**

MINUTES

Call to Order, Determination of Quorum and Self Introductions

Chair, Supervisor Kevin Cann, Mariposa County, called the meeting to order at 8:37 a.m. A quorum was determined at that time. Those present:

<u>Supervisor</u>	<u>County</u>
Mary Rawson	Alpine
Richard Forster	Amador
Doug Teeter	Butte
Merita Callaway	Calaveras
Kim Dolbow Vann	Colusa
David Finigan	Del Norte
Brian Veerkamp	El Dorado
John Viegas	Glenn
Michael Kelley	Imperial
Linda Arcularius	Inyo
Anthony Farrington	Lake
Aaron Albaugh	Lassen
David Rogers	Madera
Kevin Cann	Mariposa
John Pedrozo	Merced
Carre Brown	Mendocino
Tim Alpers	Mono
Diane Dillon	Napa
Nate Beason	Nevada
Jim Holmes	Placer
Terry Swofford	Plumas
Margie Barrios	San Benito
Les Baugh	Shasta
Lee Adams	Sierra
Michael Kobseff	Siskiyou
Bob Williams	Tehama
Debra Chapman	Trinity
Allen Ishida	Tulare
Randy Hanvelt	Tuolumne
Jim Provenza	Yolo
Roger Abe	Yuba

Member County Concerns and Issues

Supervisor Richard Forster, Amador County, discussed recent efforts to have State Highway 16 relinquished from CalTrans to Sacramento County. If conditions are not applied to Highway 16 relinquishment, motorists from Amador and other Foothill Counties could be negatively impacted.

Supervisor Randy Hanvelt, Tuolumne County, raised the issue of the California Air Resources Board (CARB) diesel regulations and exemptions upon the private fleet of diesel-power vehicles.

Supervisor Doug Teeter, Butte County, discussed that Butte County's Air Pollution Control Officer brought up concerns regarding diesel emissions regulations.

Supervisor David Rogers, Madera County, discussed the likelihood of AB 277 (Hall) being subject to a referendum vote. AB 277 was approved by the Legislature to ratify a state-tribal gaming compact with the North Fork Rancheria Band of Mono Indians of California, and a state-tribal gaming compact with the Wiyot Tribe.

Supervisor Les Baugh, Shasta County, complimented the RCRC staff on a job well done on a successful conference.

Supervisor Michael Kobseff, Siskiyou County, raised concerns regarding diesel regulations and asked RCRC staff to prepare a letter on CARB's regulations. Supervisor Kobseff discussed CalTrans' Aeronautics funding for airport improvement projects, and how all funds are being diverted into acquisitions and development instead of other airport funding programs. Supervisor Kobseff also discussed Enterprise Zones.

Supervisor Margie Barrios, San Benito County, inquired as to whether RCRC could conduct board meetings via teleconferencing. In response, Greg Norton informed Board Members that RCRC's bylaws require meetings to be conducted in accordance to the Brown Act. The requirements of the Brown Act relative to teleconferencing make it extremely difficult to conduct these meetings in an electronic manner.

Supervisor Allen Ishida, Tulare County, inquired about the RCRC's representation on the Freight Advisory Committee, which exists under the auspices of the California Department of Transportation.

Public Comments

None

President's Report

Greg Norton, President and CEO, thanked everyone for their attendance at the Annual Meeting and Mr. Norton recognized El Dorado County for providing such a wonderful backdrop for our event. Mr. Norton thanked staff for all of their work on the event, and noted that thanks to our sponsors we are able to host such a great event.

Mr. Norton acknowledged the ESJPA's securing of a USDA Solid Waste Management Grant for technical assistance in the amount of \$186,784.

Mr. Norton reported that staff has made recent county visits to Butte, Calaveras, Colusa, and Plumas Counties.

Adoption of the 2014 RCRC Meeting Schedule

Patricia Megason, Executive Vice President, presented the Board of Directors with the 2014 Board Meeting schedule.

Staff Recommendations:

Staff recommends that the RCRC Board of Directors approve the 2014 RCRC Board Meeting Schedule as proposed.

Supervisor John Pedrozo, Merced County, motioned to approve the staff's recommendations. Supervisor Michael Kobseff, Siskiyou County, seconded the motion. Motion unanimously passed.

Urgency Issue – Executive Committee Region 4 Replacement

Chair, Supervisor Kevin Cann, informed the Board of Directors that due to unforeseen circumstances, Region 4 is unrepresented on the Executive Committee. In an effort to ensure representation, the Board of Directors needed to take a vote to consider a replacement for Supervisor Ray Nutting, El Dorado County, as the Region 4 Member Representative on the Executive Committee. Following Issuance of the Board packet, Activities occurred reflecting the need to ensure timely region 4 representation.

- 9/17/13 Board of Directors Packet was mailed for the 9/27/13 Board meeting.
- 9/20/13 Supervisor Nutting pled not guilty to all charges.
- 9/24/13 Supervisor Cann was to hear from Supervisor Nutting's assistant regarding him continuing and he did not hear from the assistant.
- 9/25/13 Supervisor Nutting learned his trial is not scheduled until 2/04/14.
- RCRC Executive Committee meetings are currently calendared for October and November 2013.
- The next RCRC Board meeting is not scheduled until December 4, 2013.
- If a new Executive Committee member is not selected for Region 4, the Region will not be represented as designed at remaining 2013 Executive Committee meetings.

Supervisor Kim Dolbow Vann, Colusa County, motioned to add an Urgency Issue to the Agenda – Executive Committee Region 4 Replacement.

Supervisor Linda Arcularius, Inyo County, seconded the motion. Motion unanimously passed.

Per RCRC Bylaws, members from the impacted region met to select a Region 4 Member Representative for the Executive Committee.

Supervisor Brian Veercamp, El Dorado County, motioned to have Region 4 Members' caucus to select a Member Representative for the Executive Committee. Supervisor Margie Barrios, San Benito County, seconded the motion. Motion unanimously passed.

Region 4 Members returned to the Board Meeting having selected Supervisor Merita Callaway, Calaveras County, as the new Member representing Region 4 on the Executive Committee.

Supervisor David Rogers, Madera County, motioned to approve Merita Callaway as the new Region 4 Representative on the Executive Committee. Supervisor Nate Beason, Nevada County, seconded the motion. Motion unanimously passed.

Proposed Amendment to the 2013-14 Policy Principles Wildlife Management

Kathy Mannion, Legislative Advocate, discussed with the Board of Directors a proposed policy amendment related to wildlife management for the 2013-14 Policy Principles. The RCRC Board of Directors discussed various changes at the previous meeting held on August 21st, 2013. Supervisor Michael Kobseff, Siskiyou County, expressed concerns with the language and asked the Board to not take action on this issue until the December Board Meeting. No action was taken.

State Legislation – End of Session Update

Paul A. Smith, Senior Legislative Advocate informed the Board of Directors that while the Legislature adjourned on September 12, most of the bills are still sitting on the Governor's Desk awaiting signature. Mr. Smith reviewed a number of bills of importance.

Senate Bill 751 - Brown Act: This bill deals with the recording of votes in every board meeting subject to the Brown Act. Compliance could be an issue on Boards with large bodies, such as the RCRC Board, and certain adjustments will need to be made.

Senate Constitutional Amendment 3 - Brown Act: This measure will appear before the state's voters in June 2014. If approved, local government claims for state reimbursement to comply with the Brown Act and the Public Records Act will no longer be eligible. RCRC joined CSAC, the League of Cities and the Special Districts Association for last minute amendments to assist local governments; those amendments were not incorporated. The RCRC Board of Directors will formally consider the measure before the June election.

Assembly Bill 1235 – Local Government Financial Management Training: This bill would require members of boards of supervisors to receive basic financial management training. The bill currently sits on the Governor’s desk awaiting consideration.

Assembly Bill 409 – Electronic Filing of Statement of Economic Interest Forms: This bill is sponsored by the Fair Political Practices Commission to allow impacted persons to file Form 700’s electronically with the FPPC. There remain some compliance issues associated with local governments.

Senate Bill 741 – Management of County Fairs: This bill would make modest changes in the manner certain local fairs are structured. The bill did not secure passage in the Assembly Appropriations Committee.

Senate Bill 740 - Broadband Deployment: This bill revises the California Advanced Services Fund program and provides additional funding for broadband deployment projects. Supervisor Kim Dolbow Vann of Colusa, Supervisor John Viegas of Glenn, and Supervisor Carre Brown of Mendocino were thanked for their personal work in securing the passage of this measure in the Legislature. The bill awaits consideration by the Governor. RCRC staff strongly encouraged member counties to submit letters requesting a signature to the Governor as soon as possible.

Kathy Mannion reported that eight RCRC-opposed bills relating to the California Environmental Quality Act are now two-year bills and eligible to be taken up in 2014. These bills include: AB 52 (Gatto) relating to Native Americans; AB 380 (Dickinson) relating to notice requirements; AB 515 (Dickinson) relating to judicial review; AB 543 (Campos) relating to translation; AB 823 (Eggman) relating to agricultural land mitigation; AB 953 (Ammiano) which redefines “environment” and “significant effect”; and, SB 617 (Evans) relating to notices which also redefines “environment” and “significant effect”. Negotiations are scheduled to begin on AB 823 (Eggman) later this month. Also discussed were Senator Steinberg’s SB 731 and SB 743 (the King’s Arena Bill).

Ms. Mannion also reviewed AB 325 (Alejo). Local government organizations removed opposition after an agreement was reached which included a three-year moratorium on housing elements cause of action time limit legislation. The Governor is expected to sign this bill.

Cyndi Hillery, Legislative Advocate, discussed with the Board of Directors the issue of efforts to alter the Medical Injury Compensation Reform Act (MICRA). Ms. Hillery stated that if the MICRA cap is increased, many rural counties could lose access to healthcare, especially high-risk specialty care. There currently is no bill regarding this issue; however MICRA opponents are pushing for a ballot initiative. RCRC is a member of Californians Allied for Patient Protection (CAPP), the organization whose mission is the protection of MICRA, as is CSAC and a number of our member counties, as well as many individual providers and hospitals within our counties. Ms. Hillery noted that if a county is self-insured, as many are, a change to the MICRA cap will hit those counties hardest.

Ms. Hillery reported on a number of bills including; AB 744 (Dahle), regarding Timber Harvest Plans; AB 565 (Salas) which RCRC supported and amends the state physician corps program; AB 1054 (Chesbro) another RCRC supported bill which was enacted and addresses reimbursement rates for inpatient mental health treatment facilities.

Ms. Hillery also reported that all Distinct Part Skilled Nursing Facilities (DP-SNFs), SNF wings of acute care hospitals, are now protected from the Medi-Cal reimbursement rate cut. Ms. Hillery noted that this is a win for the rural counties, where the DP-SNF is often supporting the operational expenses of the acute care facility. However, this exemption from the cut only addresses the going-forward rate reduction and does not address the 'claw back' of the "overpayments" paid out. The 2011 State Budget provided for this reimbursement rate reductions and the state desires to have this be the rate for previous years.

Current Efforts to Affect Change for Healthier Forests and Healthier Watersheds

Cyndi Hillery provided an overview and history of RCRC's efforts to bring about fire prevention, healthy watersheds and forestry reform. The presentation included an update on the current efforts and strategy taking place. This strategy leverages the Rim Fire, and takes a thoughtful, coordinated approach at highlighting the issue of forest health, fire prevention, and protection of healthy watersheds in California through collaboration with credible partners, an increased use of media, and a continual engagement in state and federal policy-making on these issues.

Justin Caporusso, Public Affairs Specialist, presented on media efforts used to highlight the issue of forestry reform, including a joint op-ed piece in the *Sacramento Bee*, followed by a Letter-to-the-Editor authored by Mariposa County Supervisor Kevin Cann, from his perspective as former Deputy Superintendent of Yosemite National Park.

RCRC staff will continue to develop opportunities to engage on this issue in the media, and in the policy arena, both at the state and federal levels, and hope to assist in the creation of a joint "on-the-ground" project to demonstrate the efficacy of a broad coalition effort in effecting changes to current forest management activities.

An initial avenue for this strategy can be found through the passage of AB 744 (Dahle, R-Susanville & Gordon, D-Menlo Park). AB 744 was introduced in the wake of the Rim Fire disaster in an attempt to make progress towards improved forest management in California. The bill awaits consideration by the Governor. RCRC staff strongly encourages member counties to submit letters to the Governor requesting a signature on the measure as soon as possible.

Federal Affairs Update

Paul A. Smith reported on two legislative efforts to reauthorize the federal Secure Rural Schools (SRS) program - H.R. 527 (Hastings, R-Washington), and H.R. 1526 (Hastings, R-Washington). A one-year extension of the SRS program was included in H.R. 527, the Helium Stewardship Act of 2013. Considered a "must-pass" bill before October 1, 2013, H.R. 527 was approved by Congress late last week, and now awaits the

President's signature. H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act, was approved by the U.S. House of Representatives the week prior, and now awaits consideration in the U.S. Senate. While indications from the U.S. Senate show that H.R. 1526 is unlikely to pass in its current form, RCRC staff is encouraged that this legislation opens the door for further discussions regarding a comprehensive forest reform package. Staff will continue to keep the Board of Directors informed on the status of both H.R. 527 and H.R. 1526. Mr. Thane Young, Vice President at Van Scoyoc Associates was introduced to our Board of Directors. Mr. Young reported on his efforts in Washington on behalf of RCRC.

State Water Board General Industrial Storm Water Permit

Staci Heaton, Regulatory Affairs Advocate, reported that the final draft of the Industrial General Storm Water Permit (IGP) was released on July 19, 2013 and that the draft shows marked improvement over earlier drafts. The biggest remaining concern Ms. Heaton reported on was the 30.9% fee increase for the storm water program. RCRC, CSAC and the League submitted a letter of concern on September 19th.

ARB 2013 Scoping Plan/CalRecycle AB 32 Waste Management Sector Plan

Mary Pitto, Regulatory Affairs Advocate, reported that the Air Resources Board is updating their Scoping Plan and working with CalRecycle on the Waste Management Sector Plan. The new technical papers were released with no substantive changes made with regard to industry comments. Many of our comments were included in the implementation plan. Currently the implementation plan contains a short-term and a long-term timeframe for implementation measures. Our industry coalition is proposing the implementation plan include a mid-term time frame and any consideration of additional recycling mandates beyond the existing commercial recycling, organics collection, and current landfill methane control measures should be put off until the medium term after 2018, so as to fully evaluate the effectiveness of these programs between now and 2018.

Implementation Status of Assembly Bill 885 – Septic Tank Regulations

Mary Pitto reported that the State Water Resources Control Board formally adopted the Water Quality Control Policy for Siting Design Operation and Maintenance of Onsite Wastewater Treatment Systems (OWTS) on June 19th 2012 and it became effective in May 2013. However most of the key regulatory provisions won't take effect for several more years. The Regional Water Quality Control Boards (Regional Boards) are required to adopt individual OWTS Basin Plan Amendments to align with the Policy by May 13, 2014. Ms. Pitto noted that these activities need to be monitored to avoid regulations being imposed beyond those in the State Water Board's OWTS Policy, and to minimize costs and impacts to property owners. Counties are then required to prepare a Local Agency Management Program (LAMP) for their OWTS by May 13, 2016, which are subject to approval by the Regional Boards.

California Water Commission – Defining and Quantifying the Public Benefits of Water Storage

Kathy Mannion reported that the Safe, Clean and Reliable Drinking Water Supply Act of 2009 included language that required the California Water Commission to develop regulations that establish methods for defining and quantifying the public benefits of water storage. The California Water Commission has begun working on the regulations. Once the regulations are adopted by the Commission they will determine which water storage projects will receive public funding for public benefits associated with water storage. Ms. Mannion reviewed the content of a draft of the regulation developed by Commission staff.

2014 Water Bond

Kathy Mannion provided an update on the 2014 Water Bond currently slated for the November 2014 ballot. In August, legislators in both the Senate and Assembly amended bills to repeal the \$11+ billion Water Bond, and then both bills were subsequently amended again on September 11. The two proposed Water Bonds will be the subject of interim hearings and negotiations with the goal of placing a revised Water Bond before voters in 2014. The first hearing took place September 24. Ms. Mannion will continue to engage in discussions on the content of a Water Bond, with a focus on retention of water right/area of origin protections and funding for the public benefits of water storage.

Adjournment

Chair, Supervisor Kevin Cann, Mariposa County, adjourned the RCRC Board of Directors Meeting at 11:34 a.m.