

**Rural County Representatives of California
Board of Directors Meeting
Wednesday, March 11, 2020 – 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 Daron McDaniel, Merced County, called the meeting to order at 9:05 a.m. A quorum was determined at that time. Those present:

<u>Supervisor</u>	<u>County</u>
David Griffith	Alpine
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
Bruno Sabatier	Lake
Aaron Albaugh	Lassen
David Rogers	Madera
Kevin Cann	Mariposa
Carre Brown	Mendocino
Daron McDaniel	Merced
Geri Byrne	Modoc
Stacy Corless	Mono
Chris Lopez	Monterey
Susan Hoek	Nevada
Jim Holmes	Placer
Anthony Botelho	San Benito
Lynn Compton	San Luis Obispo
Mary Rickert	Shasta
Mat Conant	Sutter
Bob Williams	Tehama
Jeremy Brown	Trinity
Kuyler Crocker	Tulare
Sherri Brennan	Tuolumne
Randy Fletcher	Yuba

Absent

Brian Oneto	Amador
Michael Kelley	Imperial

Diane Dillon	Napa
Kevin Goss	Plumas
Lee Adams	Sierra
Michael Kobseff	Siskiyou
Lynda Hopkins	Sonoma
Gary Sandy	Yolo

Others in Attendance

Supervisor Paul Barr, Glenn County
Supervisor Ned Coe, Modoc County
Jeffrey Thorsby, Nevada County
Randy Hanvelt, Associated California Loggers
Elizabeth Howard Espinosa, Hurst Brooks Espinosa LLC
Jamme Yang, Yuba County
Connie Stewart, California Center for Rural Policy
Crystal Crawford, Ygrene Energy Fund
Tyson Eckerle, GO-Biz
Kielan Rathjen, GO-Biz

Staff in Attendance

Greg Norton, President and CEO
Lisa McCargar, Chief Financial Officer/Chief Operating Officer
Craig Ferguson, Senior Vice President
Paul A. Smith, Senior Vice President Governmental Affairs
Mary-Ann Warmerdam, Senior Legislative Advocate
John Kennedy, Legislative Advocate
Tracy Rhine, Legislative Advocate
Staci Heaton, Senior Regulatory Affairs Advocate
Arthur Wylene, General Counsel
Barbara Hayes, Chief Economic Development Officer
Terrance Rodgers, Economic Development Officer
Sarah Bolnik, Economic Development Specialist
Maggie Chui, Senior Governmental Affairs Coordinator
Leigh Kammerich, Regulatory Affairs Specialist
Milena De Melo, Controller
Dorothy Poole, External Affairs Coordinator

Pledge of Allegiance

Immediate Past Chair, Supervisor Matt Kingsley, Inyo County, asked for a moment of silence to honor Jim Hartshorn of Bishop. Mr. Hartshorn, an elections volunteer for Inyo County, passed away on Election Day. Subsequently, Supervisor Kingsley led the body in the Pledge of Allegiance.

Approval of Minutes – January 15, 2020

Chair, Supervisor Daron McDaniel, Merced County, called for approval of the minutes from the January 15, 2020 RCRC Board of Directors Meeting.

Supervisor Rex Bohn, Humboldt County, motioned to approve the minutes from the January 15, 2020 RCRC Board of Directors Meeting. Supervisor David Griffith, Alpine County, seconded the motion. Motion passed with all Supervisors present voting “Aye,” except as follows:

Abstaining: Supervisor John Viegas, Glenn County; Supervisor Bruno Sabatier, Lake County; Supervisor Susan Hoek, Nevada County; Supervisor Lynn Compton, San Luis Obispo County; Supervisor Mary Rickert, Shasta County

RCRC Chair’s Report

Chair, Supervisor Daron McDaniel, Merced County, welcomed fellow supervisors to the March RCRC Board of Directors meeting. Supervisor McDaniel spoke briefly about the successful trip with RCRC Officers, Board Members, and RCRC staff to Washington, D.C. during the National Association of Counties’ Legislative Conference in February. Supervisor McDaniel also spoke briefly about the 2020 Yosemite Policymakers Conference that took place earlier this month.

Member County Concerns and Issues

Supervisor Geri Byrne, Modoc County, shared her concern that drought monitors in Modoc County are not accurately reflecting conditions.

Supervisor David Griffith, Alpine County, spoke about the California Department of Forestry and Fire Protection’s fire prevention grant.

Supervisor Denise Carter, Colusa County, spoke about preparedness for coronavirus (COVID-19). Supervisor Carter asked if it is possible to obtain state funding to combat COVID-19 without declaring a state of emergency.

Supervisor David Rogers, Madera County, shared that the Department of Water Resources (DWR) is currently reviewing the Madera subbasin’s groundwater plan, which was rejected because all but one signatory has signed the coordination agreement. Madera County is waiting for DWR to provide next steps.

Supervisor Randy Fletcher, Yuba County, shared that the Yuba County Board of Supervisors recently declared a state of emergency amid COVID-19 concerns.

Supervisor Sherri Brennan, Tuolumne County, provided an update on the multi-county joint resolution to address fire dangers. Supervisor Brennan shared that there will be a meeting with the California Governor's Office of Emergency Services’ staff to address county concerns.

In response to Supervisor Brennan’s update regarding the multi-county joint resolution to address fire dangers, Supervisor Fletcher encouraged more counties participate.

Supervisor Brennan also shared that two local ballot measures that were on the Tuolumne County March Primary Election ballot failed passage.

Supervisor Stacy Corless, Mono County, shared her concern regarding AT&T's parcel return service. Supervisor Corless proclaimed that this is a statewide problem, and asked RCRC staff to monitor its development.

Supervisor Mat Conant, Sutter County, shared that the Sutter County Board of Supervisors recently declared a state of emergency amid COVID-19 concerns.

Supervisor Conant also conveyed his concern regarding the California Public Employees' Retirement System's lack of transparency on unfunded pension liabilities.

Supervisor Jim Holmes, Placer County, shared that the Placer County Board of Supervisors race resulted in a gender shift, noting there will be three women serving on the Board in January.

Supervisor Ned Coe, Modoc County, shared his concern regarding commercial businesses experiencing insurance nonrenewals.

Supervisor Anthony Botelho, San Benito County, expressed his concern about the defeat of a local ballot measure that would have adopted an ordinance that was previously approved by the San Benito County Supervisors to convert four properties at highway interchanges to regional commercial zoning.

Supervisor Mary Rickert, Shasta County, shared that Shasta County recently confirmed its first case of COVID-19, and noted the individual contracted the virus while travelling.

Supervisor Chris Lopez, Monterey County, reported that the cruise ship carrying passengers stricken with COVID-19 has offloaded passengers at the Port of Oakland, with some of these individuals being quarantined in Monterey County.

Public Comments

Randy Hanvelt, Associated California Loggers, shared that the Tuolumne County Board of Supervisors recently adopted a state of emergency to address water quality, water conveyance, and water storage issues.

President's Report

Greg Norton, President and CEO, provided a brief update on recent visits by RCRC staff, which included visits to fourteen RCRC member counties in recent weeks.

Mr. Norton introduced Dorothy Poole, External Affairs Coordinator, to the RCRC Board of Directors. Ms. Poole will be responsible for planning RCRC events, including the RCRC Annual Installation of Officers and Rural Leadership Awards Receptions, the County of the Chair meetings, and the RCRC Annual Meetings.

RCRC Revised Pay Rate Schedule

Greg Norton discussed the pay rate schedule for all positions that participate in the California Public Employees' Retirement System. The most recent pay rate schedule was approved by the RCRC Executive Committee and RCRC Board of Directors in conjunction with the approval of the 2020 annual budget. As a result of recent promotions, approval of the revised pay rate schedule is required.

At their February Executive Committee meeting, the RCRC Executive Committee approved the revised pay rate schedule and agreed to forward a recommendation for the RCRC Board of Directors to consider.

Recommendation

It was recommended that the RCRC Board of Directors approve the revised pay rate schedule.

Supervisor David Griffith, Alpine County, motioned to approve the RCRC Revised Pay Rate Schedule. Supervisor Gerry Hemmingsen, Del Norte County, seconded the motion. Motion passed with all Supervisors present voting "Aye."

April 2020 Board of Directors Meeting Update

Chair, Supervisor Daron McDaniel, Merced County, and Paul A. Smith, Senior Vice President Governmental Affairs, provided an update on the April 2020 RCRC Board of Directors meeting. As is tradition, the RCRC Board of Directors holds one Board Meeting each year in the county of the RCRC Chair. This year, Merced County will serve as host. RCRC will host a dinner on Tuesday night, April 21st, for Board Members that will be arriving early. On Wednesday, April 22nd, the group will partake in several economic development-focused tours. The RCRC Board of Directors meeting will be held on Thursday morning, April 23rd. The RCRC Board of Directors was asked to RSVP to Dorothy Poole.

Guest Speaker - Tyson Eckerle, Deputy Director, GO-Biz

Chair, Supervisor Daron McDaniel, Merced County, introduced Tyson Eckerle, Deputy Director, Governor's Office of Business and Economic Development (GO-Biz). Mr. Eckerle provided an overview of Go-Biz's Zero Emission Vehicle Infrastructure Unit and electric vehicle charging station permit streamlining efforts.

RCRC staff prepared a memo and accompanying documents relating to electric vehicle charging compliance as required by Assembly Bill 1236 (Chiu; 2015), to provide context for the RCRC Board of Directors' discussion with Mr. Eckerle.

Consideration of 2020 RCRC Sponsored Legislation

Paul A. Smith and John Kennedy, Legislative Advocate, discussed proposals for potential RCRC sponsorship/co-sponsorship in the 2020 Legislative Session, as well as updates on approved legislative proposals that are being sponsored/co-sponsored by RCRC.

Mr. Smith provided an update on two legislative proposals that were approved at the January RCRC Board of Directors meeting. Due to a number of circumstances, RCRC staff is no longer pursuing the interstate cannabis-export legislation. As for Mariposa County's Alcoholic Beverage Control proposal, Assembly Bill 2459 (Bigelow) was introduced to increase the amount of on-sale alcoholic beverage licenses available in Mariposa County.

Mr. Kennedy provided an overview on Assembly Bill 2612 (Maienschein), which RCRC is co-sponsoring with Los Angeles County and the California State Association of Counties, that would secure state funding for solid waste management.

Mr. Kennedy also explained that RCRC staff is currently removing Assembly Bill 1936 (Rodriguez) from the RCRC Board of Directors' consideration. AB 1936, which would apply existing anti-price gouging protections to Public Safety Power Shutoff (PSPS) events, was recently amended and curtails local government control. As such, RCRC staff is likely to put forth AB 1936 for consideration of sponsorship once/if amendments are made to coincide with the author's intent.

The two legislative proposals were put forth for consideration of sponsorship. First, Senator Brian Dahle's (R-Bieber) Senate Bill 1191, which would provide much-needed flexibility for small and rural jurisdictions to fulfill the California Department of Resources Recycling and Recovery's Senate Bill 1383 ambitious organic waste regulations. Second, Assembly Member Frank Bigelow's (R-Madera) Assembly Bill 2539 which would mitigate PSPS impacts on elections by requiring electrical corporations that implement PSPS events to work with local elections officials to determine whether they will be able to carry out their elections duties. RCRC staff will prepare a template letter on AB 2539 for RCRC member counties to utilize.

Staff Recommendation

RCRC staff recommended the RCRC Board of Directors approve the sponsoring/co-sponsoring of AB 2539 (Bigelow) and SB 1191 (Dahle).

Supervisor Geri Byrne, Modoc County, motioned to approve the above-mentioned legislative proposals. Supervisor Sherri Brennan, Tuolumne County, seconded the motion. Motion passed with all Supervisors present voting "Aye."

Proposals Impacting the Homeowners Insurance Market - Assembly Bill 2167 (Daly)

Staci Heaton, Senior Regulatory Affairs Advocate, provided an overview of Assembly Bill 2167 (Daly), which would address insurer losses from catastrophic wildfire and non-renewals in high wildfire-risk areas. AB 2167 establishes the Insurance Market Action Plan (IMAP) program which would allow insurers to obtain statewide rate increases beyond the 6.9 percent subject to the approval of the California Insurance Commissioner to allow insurers the ability to recover losses and encourage them to remain in the state. The IMAP would also hold insurers to offer policies in the highest wildfire-risk areas. It is expected that the IMAP would increase accessibility for homeowners in the most

vulnerable areas. Ms. Heaton explained that RCRC staff would like the RCRC Board of Directors to defer the AB 2167 discussion to the Homeowner's Insurance Ad Hoc Advisory Committee.

Staff Recommendation

RCRC staff recommended the RCRC Board of Directors have the Homeowner's Insurance Ad Hoc Advisory Committee consider and advise RCRC regarding a position on AB 2167.

Supervisor Jim Holmes, Placer County, motioned to approve the above-mentioned recommendation. Supervisor Randy Fletcher, Yuba County, seconded the motion. Motion passed with all Supervisors present voting "Aye."

Proposals Impacting the Homeowners Insurance Market - Assembly Bill 2367 (Gonzalez)

Staci Heaton also provided an overview of Assembly Bill 2367 (Gonzalez), which is sponsored by California Insurance Commissioner Ricardo Lara. AB 2367 would mandate insurers in California to offer residential insurance policies to an applicant that meets certain home-hardening and community fire resilience criteria. AB 2367 is designed to mandate insurance policies in high wildfire-risk areas for those homeowners that are acting in good faith with regards to fire mitigation efforts. Ms. Heaton explained that RCRC staff would like the RCRC Board of Directors to defer the AB 2367 discussion to the Homeowner's Insurance Ad Hoc Advisory Committee.

Staff Recommendation

RCRC staff recommends the RCRC Board of Directors have the Homeowner's Insurance Ad Hoc Advisory Committee consider and advise RCRC regarding a position on AB 2367.

Supervisor Randy Fletcher, Yuba County, motioned to approve the above-mentioned recommendation. Supervisor David Griffith, Alpine County, seconded the motion. Motion passed with all Supervisors present voting "Aye."

Forest Management and Wildfire Update

Staci Heaton provided an update on current efforts in the Legislature and various state and federal agencies to address California's persistent and catastrophic wildfire events.

Ms. Heaton provided an update on the dispute between the California Insurance Commissioner Ricardo Lara and the Fair Access to Insurance Requirements (FAIR) Plan that would require the FAIR Plan to offer a comprehensive policy by July 1, 2020. Late February, the FAIR Plan received a preliminary injunction, and it is expected the lawsuit will go to trial.

Ms. Heaton spoke about the Governor's Forest Management Task Force's (Task Force) new working group, the Forest Health (Gov4FH) Working Group, was formed to discuss

community protection efforts, forest health, wildfire prevention, and watershed restoration. Task Force Director Jennifer Montgomery is encouraging counties, cities, and tribal governments to participate.

Ms. Heaton also discussed the United States Department of Agriculture Forest Service's (USDA) 10-Year Trail Shared Stewardship Challenge that addresses the need for attention to maintenance backlog on the national forest public trail system. Ms. Heaton outlined RCRC's support of H.R. 5334 (Carbajal), the Funding Our Roads and Ecosystems Sustainably Together Act, which would allocate dedicated funds to maintenance and repair of USDA Forest Service national forest system roads.

Governor's Homelessness Budget Proposal Update

Tracy Rhine, Legislative Advocate, provided an overview to the RCRC Board of Directors on the Governor's efforts to address homelessness. Ms. Rhine outlined the main aspects which include: the Governor's Executive Order that explores utilizing excess state land for short term homeless shelters, navigation centers, and housing; the Governor's 2020-21 proposed Budget which provides \$750 million in new funding to provide flexible monies for local efforts in reducing homelessness; and, the Governor's Council of Regional Homeless Advisors recommendations.

RCRC staff sent a letter to Governor Newsom that expressed RCRC's appreciation for the Administration's strategy. RCRC also released a proposal requesting revisions to the Governor's proposed Budget, including: 25 percent of the total fund to be set aside for small counties (defined as those with a population less than 600,000); a minimum funding amount of \$1.5 million for small jurisdictions; and, that eligible uses, and commensurate accountability measures, take into consideration the unique challenges of addressing homelessness in rural counties.

Since releasing the initial trailer bill language (TBL), the California Department of Finance later released a revised TBL that contained more details to allow for flexible spending and regional distribution of funds. However, the revised TBL does not include set-asides for small counties. RCRC and local government partners are working on a response to the revised TBL to ensure small counties are not left out.

NACo Legislative Conference and Federal Advocacy Update

RCRC Officers provided a brief summary of their advocacy trip to Washington, D.C. in conjunction with the National Association of Counties (NACo) Legislative Conference that took place February 29 - March 4, 2020. Prior to the convening of the NACo Legislative Conference, RCRC's senior leadership heard from a number of political analysts on the upcoming election that are occurring throughout the nation. RCRC's senior leadership and RCRC staff also held meetings with key personnel and staff, including the Chief of the United States Department of Agriculture Forest Service Vicki Christiansen.

Water Issues Update

Mary-Ann Warmerdam, Senior Legislative Advocate, provided an update on issues involving California water policy. At the state level, Ms. Warmerdam spoke about the Water Resiliency Initiative Portfolio and the Safe and Affordable Drinking Water Fund. As

for Voluntary Agreements, Ms. Warmerdam noted that the lawsuit filed by California in response to President Trump's Record of Decision relating to state and federal water projects is moving forward. As for general obligation bonds to fund resource programs, in light of the recent defeat of a statewide school bond by voters, assessments on what bonds will be addressed at the November General Election are being considered. Ms. Warmerdam noted that the Assembly version of a resource-based bond includes \$100 million in fairground improvements, although she is not optimistic that it will remain.

At the federal level, Ms. Warmerdam briefly discussed the Drought Resiliency and Water Supply Infrastructure Act, and the Securing Access for the Central Valley and Enhancing Water Resources Act.

Sustainable Groundwater Management Act Update

Mary-Ann Warmerdam provided an update on the implementation of the Sustainable Ground Water Management Act (SGMA) in various regions throughout the state. For those basins/sub-basins designated as critically over-drafted, the Groundwater Sustainability Plans were due to the Department of Water Resources (DWR) by January 31, 2020. For basins designated as high- or medium-priority, plans are due on January 31, 2022.

Upon review by DWR, the Madera subbasin was cited for not meeting SGMA requirements. The Madera subbasin was not accepted because one of the Groundwater Sustainability Agencies was not a signatory to the coordination agreement. DWR, in consultation with the State Water Resources Control Board, will notify the Groundwater Sustainability Plans in the Madera subbasin when the final determination is made for next steps. The RCRC Board of Directors discussed at length how RCRC member counties can comply with SGMA requirements.

California Public Utilities Commission Update

Staci Heaton, John Kennedy, and Leigh Kammerich, Regulatory Affairs Specialist, provided an update on various California Public Utilities Commission (CPUC) proceedings impacting how utilities undertake wildfire hazard mitigation and de-energization of power lines to prevent high-severity wildfires, as well the Self-Generation Incentive Program proceeding, Emergency Disaster Relief Program, and the Microgrids and Resiliency Proceeding.

Ms. Heaton shared that RCRC staff recently met with representatives from Southern California Edison (SCE) to discuss SCE's objectives and goals, and to hear RCRC's concerns.

Mr. Kennedy discussed two RCRC-supported Public Safety Power Shutoff-related legislation, including Senate Bill 378 (Wiener) and Senate Bill 862 (Dodd).

Ms. Kammerich encouraged RCRC Board of Directors to review RCRC's recent comments on additional modified de-energization guidelines, and microgrids and resiliency proposals in the March RCRC Board of Directors' Supplemental Packet.

Fair Allocation Rulemaking

Mary-Ann Warmerdam and Leigh Kammerich provided an overview on the California Department of Food and Agriculture's (CDFA) rulemaking to implement Assembly Bill 1499 (Gray; 2017) that would distribute a share (three-quarters of 1 percent) of the state's portion of sales and use tax revenues from transactions made at fairgrounds to Fair Boards to support the operations and maintenance of fairgrounds. To date, CDFA has not provided details on how much revenue could be allocated individually to qualified fairs, nor has CDFA received a five-year estimate of these funds to predict and plan the dispersion of these dollars.

RCRC has submitted a comment letter to CDFA requesting the bulk of the money go toward general operational support, deferred maintenance, and infrastructure. Until the rulemaking is final, funding as outlined in the Governor's proposed Budget remains dormant. RCRC staff encouraged supervisors to submit comment letters on this rulemaking. RCRC staff will prepare a template letter for RCRC member counties to utilize.

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: the California Department of Resources Recycling and Recovery's (CalRecycle) Senate Bill 1383 Short-Lived Climate Pollutants final regulations being rejected by the Office of Administrative Law; CalRecycle's recent adoption of a new recycling and disposal reporting system; ESJPA's recent comments relating to pharmaceutical and sharps waste stewardship regulations; California Air Resources Board's Advanced Clean Truck rule; and, grant updates as it relates to the used oil payment program and tire amnesty grant. Ms. Heaton encouraged supervisors to attend tomorrow's ESJPA Board of Directors meeting.

Federal National Environmental Policy Act Rulemaking

Staci Heaton provided an overview on the Council on Environmental Quality's (CEQ) process of updating the regulations that would implement the procedural provisions of the National Environmental Policy Act (NEPA). The update include revisions that would standardize the qualifications for cooperating agency status to eliminate variance between federal agencies and regions within each agency. The update also proposes to require agencies to meet with cooperating agencies upon request, and includes provisions for enhanced input from local, state, and tribal governments that are impacted by a specific project. The update also streamlines the NEPA process by imposing page limits and deadlines for submitting responses to environmental impact statements and environmental assessments.

RCRC staff submitted a comment letter urging CEQ to include language in its rulemaking to ensure that the United States Department of Agriculture Forest Service and CEQ proposals are harmonious so that it does not cause delays.

State Legislation

Mr. Kennedy reported on the following:

- Assembly Bill 2323 (Friedman), which would repeal a California Environmental Quality Act exemption for a residential development project when a specific plan for which an Environmental Impact Report has been certified.
- Assembly Bill 2832 (C. Garcia), which would declare the policy of the state to achieve carbon neutrality no later than 2045, and to achieve and maintain new negative greenhouse gas emissions (GHG).
- Senate Bill 917 (Wiener), which would rename the California Consumer Power and Conservation Financing Authority to the California Consumer Energy and Conservation Financing Authority, and allow it to acquire the assets or ownership of an electrical corporation or gas corporation if that corporation has been convicted of felony criminal violations.
- Senate Bill 1363 (Allen), which would require the state to set GHG and vehicle miles traveled targets for regional transportation plans.

Adjournment

Chair, Supervisor Daron McDaniel, Merced County, adjourned the RCRC Board of Directors Meeting at 2:18 p.m.