



COUNTY OF MENDOCINO

STATE OF CALIFORNIA

2019 LEGISLATIVE PLATFORM

Hendy Woods
Courtesy of Visit Mendocino



Adopted By:

Carre Brown, Chair
District 1

John McCowen
District 2

John Haschak
District 3

Dan Gjerde
District 4

Ted Williams
District 5

Prepared By:
Chief Executive Officer
Carmel J. Angelo



COUNTY OF MENDOCINO

2019 LEGISLATIVE PLATFORM

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COUNTY OF MENDOCINO



BOARD OF SUPERVISORS

MISSION STATEMENT

The Mendocino County Board of Supervisors' mission is to create and maintain a responsive and responsible government that enhances the quality of life of the people of Mendocino County.

The County's mission is to deliver services that meet: Public safety, health, social, cultural, education, transportation, economic, and environmental needs of our communities.

Goals to achieve our Mission Statement:

- ◆ To treat all people with dignity and respect. To create a County employee culture where each citizen is treated in a courteous, professional, and sensitive manner.
- ◆ To forge effective working relationships within the community in both the private and public sectors. Through such cooperation we can maximize services to our citizens. Having engaged people will achieve organizational goals.
- ◆ To develop a work environment and employee culture that strives for excellence. Training and development opportunities and career advancement will be highly valued by the organization.
- ◆ To streamline our governmental processes so that excellent service delivery is responsive, reliable, and cost effective. Productivity and efficiency are important organizational values which result in maximum benefits for all concerned.
- ◆ To manage our fiscal resources effectively and responsibly. To plan and budget in a way that recognizes the financial limitations of the County, and enhances the long term economic viability of the County and its citizens.

Adopted August 19, 1999

By the Mendocino County Board of Supervisors

BOARD OF SUPERVISORS

The Board of Supervisors is the legislative body of Mendocino County government. The Board adopts policies, establishes programs, appoints certain non-elected department heads, and adopts annual budgets for all County departments. The Board of Supervisors also serves as the governing board for two special districts; the Mendocino County Water Agency, and the Mendocino County Air Quality Management District. Supervisors also serve on regional agencies and as ex-officio members on the boards of county service districts. The Board of Supervisors is a five-member board elected by district on the basis of population, as required by state law. Supervisors are elected on a non-partisan basis and serve for a term of four years. Along with the Board's committee and agency appointments, Supervisors also elect a Chairperson and Vice Chairperson annually among themselves.



Carre Brown
District 1



John McCowen
District 2



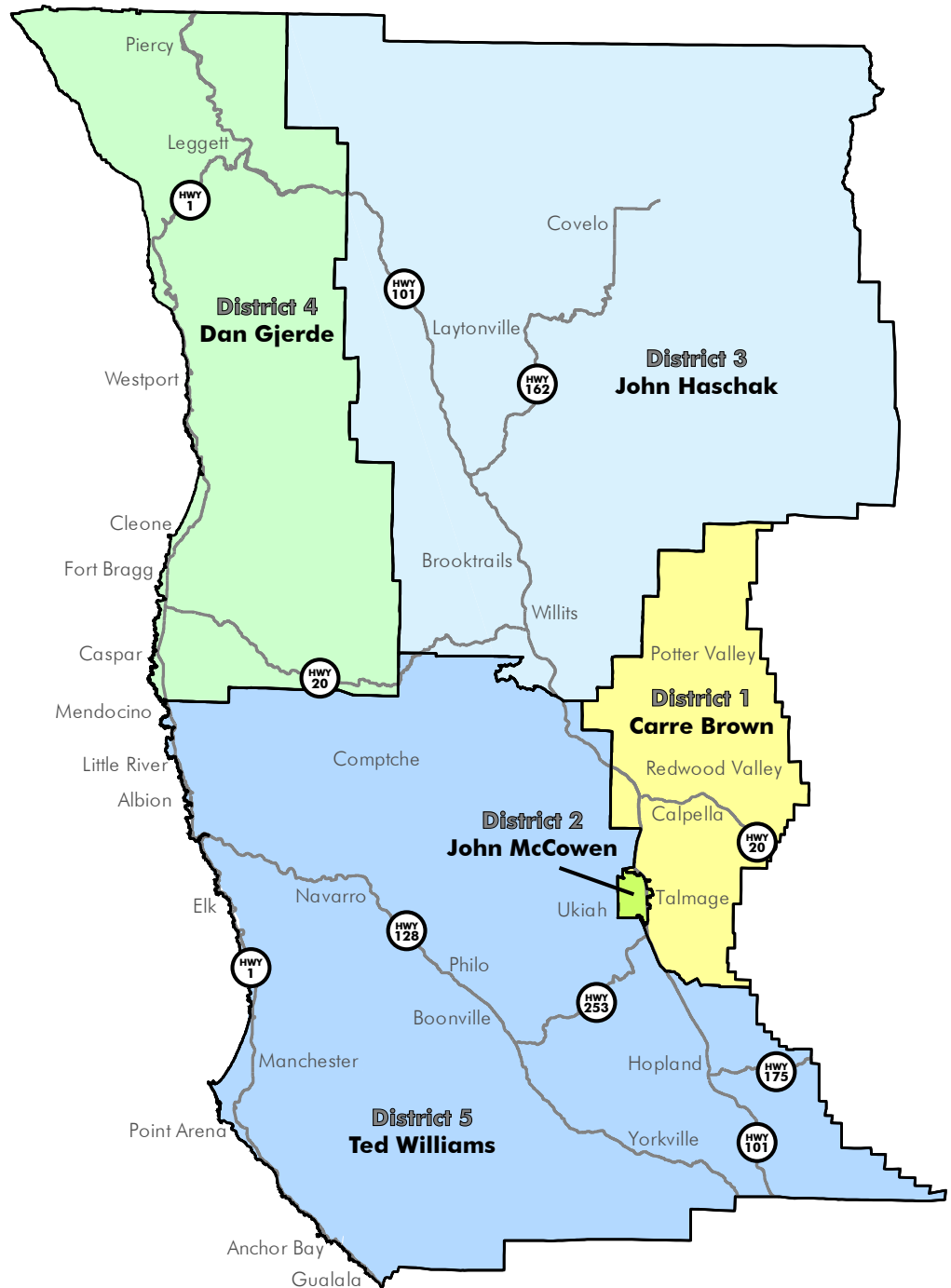
John Haschak
District 3



Dan Gjerde
District 4



Ted Williams
District 5





COUNTY OF MENDOCINO

OVERVIEW

EXPERIENCE MENDOCINO COUNTY WINE - WAVES - WILDERNESS

Mendocino County is located about 100 miles north of San Francisco and is bordered by Sonoma County to the south, Humboldt County to the north, Lake County to the east and the Pacific Ocean to the west. The County has a population of approximately 90,000 with about 16,000 people living in Ukiah, the largest city and the County seat. Additionally, there are three incorporated cities: Willits, Fort Bragg and Point Arena. Mendocino County encompasses an area of over two million acres or approximately 3,500 square miles and is known for its redwood forests, 120+ miles of rugged coastline, picturesque villages and award winning wineries - and is larger than the states of Rhode Island and Delaware combined. There are seven parks located throughout the County – each with its own “personality”, showcasing a different facet of Mendocino County’s wealth of natural resources. In addition, Ukiah has recently added a Skateboard Park and Dog Park. Residents and visitors enjoy camping, fishing and water sports at Lake Mendocino as well as throughout the coastal areas of Mendocino County. Combining the best of the outdoors with the finest aspects of living well, Mendocino County embodies the very best that California and Mother Nature have to offer.

COUNTY STRUCTURE

Mendocino County is a general law county established in 1850 by the State legislature and is a political subdivision, or unit, of the State. The County is represented by five non-partisan, elected members comprising the Board of Supervisors. The Board of Supervisors is the governing body and sets policy and priorities for the County. The County is responsible for providing municipal programs and services in unincorporated areas of the County, and its powers are limited to those granted by the State. The County implements many programs in the areas of health, welfare and law enforcement, which are mandated, regulated and mostly funded by the State. The Board of Supervisors has limited authority over the policy and administration of these programs. The County also provides local services, such as public safety, libraries, land-use planning, county road construction and maintenance, and a museum.

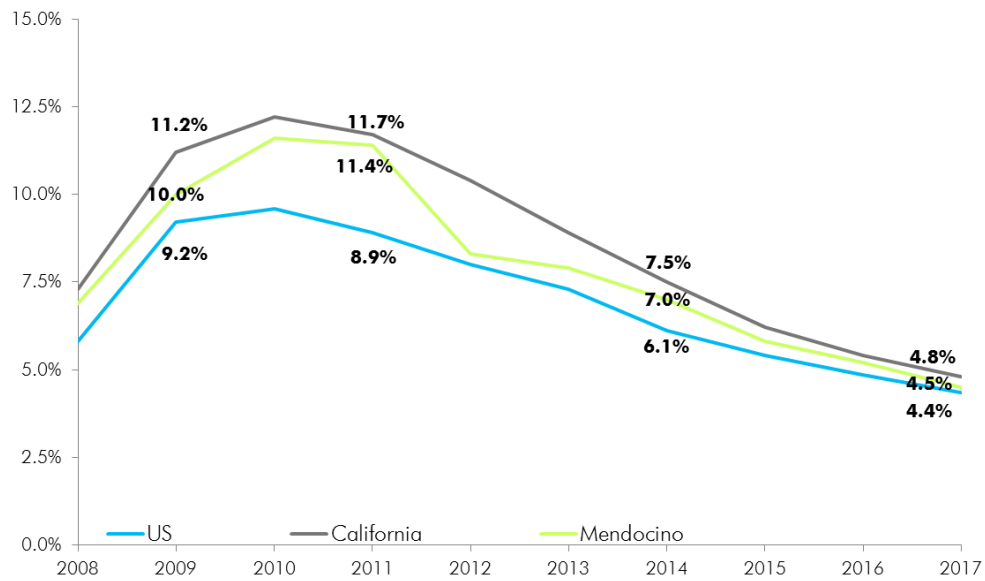
COMMUNITY PROFILE

US Census Bureau Quick Facts	Mendocino County	California
Population, 2017 estimate	88,018	39,536,653
Population, 2010 (April 1) estimates base	87,840	37,254,503
Percent change, April 4, 2010 to July 1, 2017	0.2%	6.1%
Persons under 5 years, percent, 2017	5.9%	6.3%
Persons under 18 years, percent, 2017	21.6%	22.9%
Persons 65 years and over, percent, 2017	21.2%	13.9%

Mendocino County Community Indicators

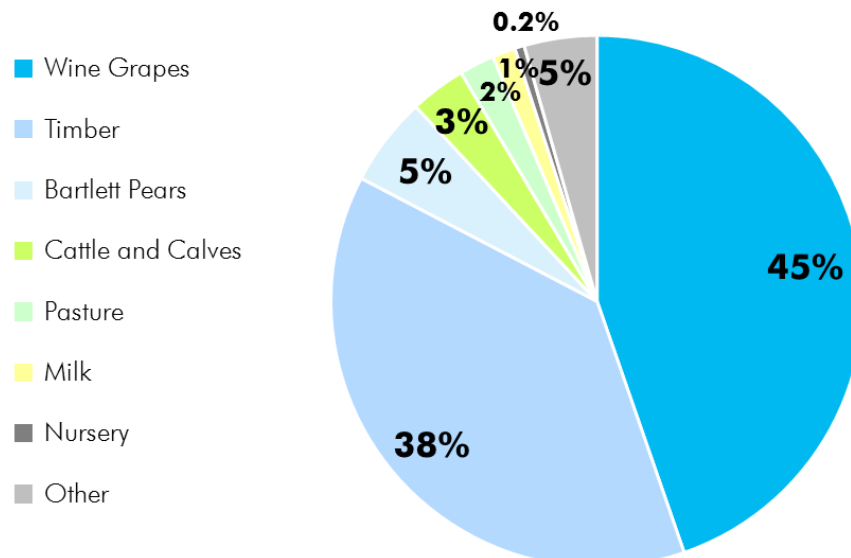
Median Household Income (2016)	\$43,510
Population in Unincorporated area	67%
Poverty Rate (2017)	16.3%

UNEMPLOYMENT RATE



Source: State of California, Employment Development Department
United States Department of Labor, Bureau of Labor Statistics

AGRICULTURE VALUE 2017 CROP REPORT





COUNTY OF MENDOCINO

2019 LEGISLATIVE PLATFORM

LEGISLATIVE PLATFORM OVERVIEW

Pursuant to County Policy No. 19, the Board of Supervisors adopts an annual Legislative Platform reflecting the County priorities for legislative advocacy, state and federal funding, and issues of interest to local government. The purpose of this Legislative Platform is to clearly outline the positions of the County on priority issues and matters that impact the County's ability to operate effectively, while allowing the considerations of legislative and budget issues that arise during the legislative session. The Board referred the development of the 2019 Legislative Platform to the General Government Standing Committee, comprised of Supervisor Carre Brown and Supervisor Dan Gjerde, to work with County Department Heads and Executive Office staff in developing a framework of issues for Board consideration.

On January 22, 2019, the Board adopted the 2019 Legislative Platform reflecting the County's legislative priorities and policies for the upcoming legislative cycle. In adopting an annual legislative advocacy platform, the Board of Supervisors strives to enhance the quality of life in Mendocino County through effective state and federal legislation.

STATE AND FEDERAL LEGISLATIVE PRIORITIES & FOCUS AREAS

In adopting this year's legislative platform, the following serve as Mendocino County's priorities and focus areas for Federal and State legislative advocacy:

LOCAL CONTROL

Summary: The County of Mendocino seeks to protect local government revenue and preserve local self-governance. As the nation and the State grapple with revenue shortfalls and governmental restructuring and increasing demand for services, it is critical that every effort to support and promote local control is fully embraced to allow the County to exercise maximum flexibility in carrying out its policy and program mandates, while supporting our unique rural needs.

- Support flexibility in county program implementation to reflect unique local needs.
- Support flexibility and ability for County's to contract with non-profits, local businesses and community based organizations that are licensed experts and can deliver vital services to our residents.
- Protect local contracting authority to ensure vital county services are provided in the most cost-effective manner.
- Support funding consistency for local government programs.
- Protect local government revenues from state and federal taking or borrowing.

- Advocacy for the unique needs of our rural communities including fiscal, programmatic, and regulatory consideration.
- Promote predictable funding levels for local program, especially public safety and health and human services, to allow counties to plan for program administration.
- Support legislation that allows local Cap and Trade revenues to be used in a more flexible manner regarding project selection while promoting cost-effectiveness, technological feasibility, innovation, collaboration, economic development and sustainability.
- Support a new Fee-to-Trust process that closely mirrors the new federal acknowledgement process and incorporate a high level of local government involvement, such that the two are in harmony with each other as they are implemented to avoid confusion, which could lead to conflict between local governments and tribes.

REGULATORY MANDATES AND REFORM

Summary: As local government faces reduced resources to carry out a myriad of programs and services, we join other California counties in advocating for greater flexibility and relief from over-regulation, relief from unfunded state mandates, and opposition to the further degradation of state funding for county programs.

- For the establishment of fuel breaks around/near communities, waive the provisions of the California Environmental Quality Act (CEQA) so that creation of the fuel breaks can occur minimizing future fire hazards to communities.
- Support legislative reform that would promote regulatory approaches or mandates that transfer state responsibilities to local agencies without constitutionally protected funding sources.
- Support CEQA reform to facilitate public projects providing essential services.
- Support efforts to improve or streamline CEQA efficiency without losing sight of the ultimate goal to thoroughly identify environmental impacts and mitigations.
- Support policy and legislation to encourage economic development by streamlining duplicative regulations, providing tax incentives for business expansion or creation and implementing administrative efficiencies.
- Pursue legislation that would provide clear guidelines on fault thresholds for granting industrial disability retirements to employees. Current law is vague on when industrial disability retirements must be granted, regardless of contributing factors, or status of Workers' Compensation claims status.
- Pursue legislation that would specifically allow for the appointment of an alternate Trustee to the Mendocino County Employees Retirement Association Board of Retirement who would have voting authority in the absence of a Trustee appointed by the Board of Supervisors.
 - The proposed alternate Trustee would be appointed by the Board of Supervisors and would vote in any circumstance where any of the four Board of Supervisors appointees to the Board of Retirement is unable to vote.
 - The proposed alternate Trustee would be fiduciary of the retirement association and subject to the education and other requirements similarly to other Trustees on the Board of Retirement.

TRANSPORTATION

Summary: One of the major functions of county government is to build and maintain a network of infrastructure facilities including a network of local streets, roads, and bridges. State and federal transportation funding has been in steady decline over the years as existing funding sources have been retargeted to meet urban and suburban (growing) region's infrastructure needs to the detriment of rural communities. Furthermore, the declining or stagnant funding levels negatively affect county buying power due to the inflation in oil and energy costs over time both of which directly impact materials (aggregate cement and oil) needed for roads and bridges. Mendocino County supports transportation policy that encompasses preservation and maintenance of the existing highway system including the secondary or rural highway network, long-term funding with a portion dedicated to local infrastructure needs, and improved connectivity between local, regional and statewide transportation systems. Additionally, the County supports the Road Repair and Accountability Act (SB1), which provides counties and cities with funding for maintenance, rehabilitation, and safety improvements to local roads.

- Oppose SB 1 repeal efforts that would revoke the new transportation funds and make it more difficult to raise state and local transportation funds in the future.
- Support and encourages the use and development of transit and non-motorized transportation, facilities and infrastructure.
- Support surface transportation policy that encompasses preservation and maintenance of the existing highway system, including the secondary or rural highway network, and connectivity between local, regional and statewide transportation systems.
- Support State and Federal long-term transportation funding, including revenue streams for local streets, roads and bridges.
- Support a robust investment in transportation infrastructure large enough to demonstrate tangible benefits to taxpayers and the traveling public.
- Support legislative provisions requiring new transportation revenues to be invested into the existing transportation system, including local streets, roads and state highways.
- Support equitable revenue sharing between Federal, State and local jurisdictions for transportation, ensuring road maintenance costs are shared equally, in order to support a comprehensive road and highway network.
- Support funding opportunities for restoration of rail infrastructure from Windsor to Willits.
- Support Cap and Trade revenues generated from fuels by reinvesting back into transportation program and projects that reduce greenhouse gas emissions.
- Support legislation and funding mechanisms that encourage the use of transit and development of non-motorized transportation, facilities and infrastructure.
- Support legislation that enhances the safety of county streets and arterials for vehicular, bicycle, and pedestrian traffic.
- Advocate for federal funding for rural airport infrastructure projects.

WATER

Summary: The scarcity of water in the West makes it a crucial resource for the communities, industries, habitats, and farms it supports. Clean, reliable water supplies are essential to maintain and improve quality of life in Mendocino County. A recent statewide drought, unprecedented groundwater legislation and uncertainties in local and state regulatory and economic climates are cause for the County to continue to be proactive regarding water policy. The County supports legislation and advocacy efforts that protect and enhance the reliability, availability, affordability and quality of water resources.

- Advocate for legislation to allow and streamline the process for water districts to consolidate districts.
- Promote regional and statewide collaborative efforts on drought preparedness.
- Support continued water conservation efforts.
- Support State funding for storm water infrastructure improvements and compliance with storm water quality regulations.
 - Engage with the State and Regional Water Board regarding National Pollutants Discharge Elimination System (NPDES) permit requirements.
 - Support local reimbursements for the implementation of NPDES requirements.
 - Support funding for storm water resources plan implementation projects.
 - Advocate for funding for trash amendment implementation.
 - Support the determination that the trash amendment is an unfunded mandate.
- Advocate for Proposition 1 water bond funding distribution that ensure regional and disadvantaged communities have maximum opportunity to draw down grant funding for local projects.
 - Support pursuing available grant funding to assist with drought mitigation infrastructure projects, water supply planning efforts, Sustainable Groundwater Management Act compliance, storm water programs and other water board mandates.
- Support local control in the implementation of the Sustainable Groundwater Management Act (SGMA) and development/implementation of a Groundwater Sustainability Plan (GSP).
- Support continued local collaboration between agencies and stakeholders in the implementation of SGMA requirements.
- Engage in the local SGMA implementation for any new medium or high priority basins identified in Mendocino County in future Bulletin 118 revisions.
- Advocate for locally beneficial legislation related to SGMA that introduced in the 2019 session.
- Support increased federal funding in order to continue work on the Feasibility Study for the raising of Coyote Valley Dam consistent with the Feasibility Study Cost Share Agreement signed by the U.S. Army Corp of Engineers (USACE) and the Inland Water and Power Commission (IWPC), of which Mendocino County Water Agency is a member.
- Support full federal environmental restoration funding to allow the USACE to mitigate water quality impacts identified by the National Marine Fisheries Service Jeopardy findings under Section 7 of the Endangered Species Act and contained within the Russian River Biological Opinion.
- Advocate for the revising of the Operations Manual passed by Congress in 1958 for the Coyote Valley Dam water releases to address year-to-year carry over supply issues in Lake Mendocino and to protect listed fish.

- Engage in the re-licensing and auction process for FERC Project No. 77 – the Potter Valley Hydroelectric Project.
- Monitor the legal challenges to the Waters of the United States rule (by the EPA and Army Corps) aimed at re-defining the definition of "Waters of the US" inside the Clean Water.
 - Continued to advocate for developing a new rule that would not inappropriately or unnecessarily expand coverage to new land features or waters or broaden the overall jurisdiction of the agencies. Additionally, the detrimental impacts and burdens to municipalities and agriculture nationwide could be more thoroughly assessed and minimized.
 - Support Congressional efforts for the development of a new rule.

CANNABIS

Summary: Mendocino County is a pre-eminent producer county in the state of California, home to a very large number of multi-generational cultivators, manufacturers, and other added-value cannabis industry participants. In every license category, consideration must be given to the difficulties facing small cannabis operators in rural communities, unable to compete in the emerging legal market if it demands large sums of investment to scale up and meet regulatory requirements. Mendocino County supports the State's implementation of the Medical and Adult-Use Cannabis Regulation and Safety and will continue to advocate maintaining local government's flexibility and authority to address individual community needs through local control measures. Mendocino County supports the principles of legalization, regulation, and taxation of cannabis pursuant to the Board's policy statement adopted June 5, 2007, and the North Coast Policy Statement adopted on May 5, 2015. Mendocino County supports federal initiatives to either repeal or modify the federal prohibition of cannabis, and encourages federal recognition of state laws regulating cannabis.

- Support the principles of legalization, regulation, and taxation of cannabis pursuant to the Board's policy statement adopted June 5, 2007 (*Attachment A*).
- Support the North Coast Counties Marijuana Policy State adopted by the Mendocino County Board of Supervisors on May 6, 2015 (*Attachment B*).
 - Advocate for cannabis policy that reflect the priorities outlined in the statement in the categories of local control, revenue and taxation, environmental protection and economics.
- Support the Children's Health Committee's Policy Statement on Marijuana and Youth adopted by the Mendocino County Board of Supervisors on August 16, 2016 (*Attachment C*).
- Support a portion of State cannabis tax revenue to be used for youth prevention efforts.
- Engage in the rule making process for the Medical and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA).
 - Advocate that State cannabis licensing agencies share track and trace data with the California Cannabis Authority. The California Cannabis Authority is a Joint Powers Authority established amongst county government to develop and manage a data platform to assist local governments that are regulating commercial cannabis activity by consolidating data from different sources into one resource to help ensure for maximum regulatory and tax compliance.

- Advocate for regulatory changes to address difficulties facing small cannabis operators in rural communities.
- Advocate for State changes to the definition of “premise” to provide more flexibility for the economic development of cannabis farms and businesses.
- Advocate for full cost recovery, if State agencies request compliance and enforcement assistance with the new cannabis program.
- Advocate for Application Program Interface (API) access to the State cannabis licensing system for local jurisdictions to allow an efficient method to verify state licenses of local cannabis businesses.
- Support streamlining of State ancillary permits/licenses required for cannabis licensing.
- Support the use of state provisional licenses allowing cannabis applicants to complete local permitting/licensing requirements and ancillary state required environmental permitting.
- Support specific cannabis regulatory provisions for rural communities to address regional needs and challenges of small farmers.
- Support Self-Distribution license for small cultivators in rural areas.
- Advocate for generator regulations that address the needs of rural counties and small farmers.
- Water Use considerations that are appropriate for rural communities and small farmers that incentivize conservation and regulate cannabis at the same level as standard agriculture.
- Advocate for the removal of the 4-acre cap on Cannabis Cooperative Associations to allow economy of scale for small farmers.
- Support cottage level Microbusiness opportunities and licenses that are streamlined for small rural farmers.
- Support expanded opportunities for direct sales.
- Support the continued development of cannabis business tourism including funding and incentive programs.
- Support expanding the types of cannabis licenses allowed to participate at cannabis events.
- Develop cannabis cottage level licenses allowing home based businesses to enter the cannabis industry.
- Advocate for a State recognized cannabis banking system.
- Advocate for stronger enforcement of illegal cannabis operations.
- Support a state ombudsman program with the Department of Consumer Affairs to address complaints regarding cannabis business-to-business practices between licensees.
- Support changes to the cottage outdoor cultivation license to allow 25 plants or 2,500 sq. ft.
- Support expanding co-location/shared facility licensing model for cannabis processing.
- Advocate for flexible and reduced/streamlined regulations for small farmers cultivating 10,000 sq. ft. or less.
- Advocate for workforce training funding for displaced cannabis businesses/workers that are unable to transition to the new commercial industry.
- Support a repeal or modification of federal prohibition of cannabis and efforts for the de-scheduling or rescheduling of cannabis as a Schedule 1 Federally Classified Substance.
- Advocate for Federal and State legislation and funding to combat illegal trespass cultivation of cannabis on public and private lands.
 - Advocate for solutions to stem illegal cannabis cultivation in all areas of the county by working with private property owners, the U.S. Forest Service, the Bureau of Land Management, the California State Board of Forestry and Fire Protection, the California Department of Parks and Recreation, California Department of Fish and Wildlife, the

State Water Resource Control Board and other regulatory entities to address this problem.

- Support administrative penalties that cover the cost of site cleanup and restoration to mitigate for the impacts to the land, water quality and quantity.
- Support adequate funding to address illegal water diversion, water pollution, erosion, poisoning of wildlife, and other environmental damage associated with trespass cannabis growing operations.

DISASTER RECOVERY

Summary: The Counties of Mendocino, Napa, Sonoma and Lake, and their incorporated cities, suffered tremendous loss on a scale that continues to be nearly incomprehensible. In the October 2017 Redwood Complex Fire, 36,000 acres were burnt, homes were lost, agricultural land was damaged and watersheds continue to be threatened. However, this does not touch on the loss of lives. In the midst of disaster recovery, our community was once again hit with a wildfire in summer of 2018. The devastation of these fire events will live on for decades. The support of the State and Federal government in both appropriations and policy changes are vital as we begin to rebuild our community and deal with increasing fire danger. The County requests the following fiscal and policy requests:

- Backfill the loss of property taxes (to the 2017 assessment level prior to the fires), transient occupancy taxes and sales taxes.
- Backfill the amount that lost homes would have contributed in property taxes to the debt service of local schools and districts at their 2017 assessed values.
- For the establishment of fuel breaks around/near communities, waive the provisions of the California Environmental Quality Act (CEQA) so that creation of the fuel breaks can occur minimizing future fire hazards to communities.
- Prioritize SB 2 funds currently retained by the California Department of Housing and Community Development for affordable housing investments in fire-impacted counties and cities.
- Designate Cap and Trade monies for environmental restoration activities and low energy/net-zero energy buildings subsidies in fire-impacted counties and cities.
- Expedite payments for county-provided services, whenever possible using estimates (and allowing for eventual true ups) rather than exact costs to help address cash flow problems, e.g. in the areas of mental health, social services, etc.
- Make bond funding available to fire impacted local governments for watershed remediation, species protection and drinking water supply projects.
- Fund the development of long-term (5-10 year) comprehensive regional recovery plans that focus on fire prevention, sustainability and resiliency.
- Provide funding to incentivize rebuilding that meet fire resistant standards.
- Fund the work of volunteers / non-governmental organizations.
- Waive mandated local matches related to recovery and / or resiliency.
- Fund watershed protection.
- Fund road repair.
- Provide funding for fire safe private bridges, road retrofitting/improvements to provide critical emergency exit routes.
- Appropriate any available State Responsibility Area funding to fire-ravaged areas.

- Provide funding for the removal of burned trees that serve not only as a hazard in creek beds and present future fire hazards but are also a hindrance to recovery and future economic growth of fire-ravaged communities given the massive destruction visible from many roadways and other public areas.
- Extend the currently established burn zone California Environmental Quality Act exemptions to all fire impacted counties until a specific period of time or goals is met (i.e. 7 years, until x number of units have been built, or 200% of Regional Housing Needs Assessment).
- Fast track expansion of county landfills.
- Allow local governments to use a portion of the debris insurance collection for local recovery efforts, subject to state rules for how the funds are to be used.
- Facilitate vocational training programs for youth and unemployed adults to work in the various trades and assist in meeting increased construction demand.
- Legislate that public health emergency declaration renewals may be every 30 days rather than 14 days.
- Streamline / fast track public assistance payments for various county-run programs.
- Provide additional assistance in communicating with the federal government especially for areas that have suffered multiple disasters over the last several years.
- Create a state ombudsperson to assist local governments and individuals with disaster and recovery questions and needs.
- Provide increased technical assistance with disaster preparedness (including hazard mitigation), response, and recovery training.
- Provide technical assistance with community planning, including innovative rebuilding ideas.
- Support Public Utilities Commission developing rules for turning off electricity when fire risk is high to ensure shutoffs are safe and the public is notified. Advocate for weather monitoring funding to improve power shutoff methodologies.
- Ease housing element regulations for fire-impacted jurisdictions, as currently a certified housing element is required for Community Development Block Grants.
- Amend Government Code 65584.01 (G) to read, "The loss of units during a Governor declared emergency that have not been rebuilt or replaced at the time of the data request."
- Amend the Mobile Home Park Act so that when two or more spaces are being held out for rent or lease it does not automatically convert that property into a mobile home park.
- Work with California Office of Emergency Services to develop a list serve / share point to provide up to the minute information to local governments during disasters.
- Coordinate with the University of California Cooperative Extension and Cal Fire to conduct an assessment and create recommendations for fire safe vegetation management on private and public land, and provide competitive grants for counties to implement those recommendations.
- Make Community Conservation Corps available to implement defensible space standards.
- Provide specific mandated standards for emergency alert systems statewide (along with the funding necessary) to implement those standards.
- Establish mandatory requirement that private residential garage doors remain operational at an Americans with Disabilities Act standard during a loss of power.
- Change state law mandating insurance companies to provide housing assistance payments for a minimum of 3 years.
- Amend state law on increasing the standards and requirements for maintaining fire prevention measures in state parks.

- Secure state support of request to Federal Emergency Management Act that fire victims who have not rebuilt within 2 years of insurance coverage receive Federal Emergency Management housing assistance to cover the gap.
- Support legislation that addresses insurance coverage in wildfire risk areas of California.
- Oppose immunity for investor-owned utilities regarding legal liability resulting from utility-caused fires.
- Fund emergency planning specifically addressing the safety of seniors and people with disabilities.
- Fund planning and implementation projects to address ingress/regress and secondary emergency access.
- Fund upgrades to community town halls that act as the community-gathering place.
- Fund CAL FIRE to maintain fire breaks.
- Delay requirement for new homes to be solar powered from 2020 to 2023 for disaster survivors. The increased home building costs associated with including solar will be challenging for survivors who have no insurance or are underinsured. Support state funding for solar installations targeted at disaster survivors rebuilding homes.
- Advocate for reimbursement from the state and federal government for counties providing emergency sheltering services for neighboring counties with an emergency declaration.

ECONOMIC & COMMUNITY DEVELOPMENT

Summary: Mendocino County advocates for economic and community development opportunities suitable to our rural community's unique character through business development. The County supports legislative efforts designed to foster economic development tools and funding options for effective programs and job creation. The County supports legislative efforts that promote strategic land use and development practices that maintain and/or increase local control.

- Support continued State funding for the California Coastal Commission (CCC) and for the Local Coastal Program (LCP) Local Assistance Grant Program.
- Support continued State funding for the California Coastal Conservancy to support local projects.
- Support CSAC Coastal Counties Association efforts/engagement in developing better working relations between the California Coastal Commission and local government.
- Support legislation that encourages the creation of jobs near housing to improve the jobs / housing balance.
- Support legislation that provides ongoing state funding for mandated planning projects such as the Regional Housing Needs Assessment, Sustainable Communities Strategy (SCS), General Plan Housing Element updates, and other planning initiatives under AB 32 and SB 375.
- Support legislation that will extend the period of time that jurisdictions have to develop and implement their Housing Elements following the release of a regional SCS.
- Reform housing element law. Existing housing element law must be streamlined and simplified.
- Identify and generate a variety of permanent financing resources and subsidy mechanisms for affordable housing, including a statewide permanent source for affordable housing. These sources need to be developed to address California's housing needs, particularly with the reduction of federal and state contributions in recent years

- Restructure local government funding to support housing affordability. Local government finance should be restructured at the state level to improve the attractiveness and feasibility of affordable housing development at the local level.
- Promote a full range of housing in all communities to better address the housing needs and solutions in rural communities.
- Support legislation that streamlines the process for the development of accessory dwelling units.
- Support the repeal of Article 34 of the California Constitution, which would reduce administrative burden on local governments around affordable housing development.
- Establish federal and state tax incentives for the provision of affordable housing. The tax codes and financial industry regulations need to be revised to provide stimulus to produce affordable housing, particularly for median, low and very low-income households.
- Advocate for the expansion of state and federal tax credits to better meet the statewide need for subsidized affordable housing units.
- Support legislative actions that protect the rights of jurisdictions to plan and govern their own communities.
- Oppose legislation that creates restrictions on local control of land use and development.
- Oppose legislative actions or reform measures that penalize jurisdictions for non-compliance with state-mandated Housing Element update schedules.
- Collaborate with the Broadband Alliance of Mendocino County (BAMC) and the North Bay North Coast Broadband Consortium (NBNCBC) to facilitate the deployment of a robust countywide fiber backbone infrastructure that will enhance economic development and stimulate affordable broadband access to all homes, businesses, schools, libraries, public safety facilities, health services and other institutions throughout Mendocino County.
- Continue to work with other northern California counties to identify and meet regional needs using a comprehensive, integrated approach to expand broadband infrastructure into our communities.
- Support development of locally based models for energy delivery/energy independence including wind, solar, and geothermal energy.
- Support efforts for Community Choice Aggregation (CCA), which allows cities and counties to aggregate the buying power of individual customers within a defined jurisdiction in order to secure alternative energy supply contracts.
- Support community choice aggregation (CCA) with policy that advances local control of electricity sources and customer programs. Oppose policy that harms the ability of CCAs to reduce greenhouse gas emissions, choose sources of electricity or deliver customer programs. Collaborate with SCP, Mendocino County's CCA, to identify important policy positions in this area.
- Support legislation that fosters, promotes, and creates incentives for the adoption, use, and economic benefits of renewable and sustainable energy endeavors benefitting Mendocino County.
- Support legislation amending the Solar Rights Act (CA Civil Code 714) to exempt Historic Districts that have adopted standards for the installation of alternative energy systems.

AGRICULTURE

Summary: Mendocino County recognizes the importance of agriculture and its contribution to our local economy. Mendocino County will continue to advocate for the protection of agricultural lands, agricultural economic development activities, encourage sustainable agricultural practices and support growing local and regional food systems.

- Support the restoration of Williamson Act (the California Land Conservation Act) Subvention funds.
 - Mendocino County, like most other rural counties, is dependent on State funding to offset the loss of property tax revenue to the County. This program has been hugely beneficial to our agricultural county. Without a resumption of subvention payments, the County budget will suffer a detrimental impact.
- Support local and regional food system initiatives to promote availability of local goods and food service markets in retail, institutional, and commercial operations, including projects that capitalize on food system opportunities by developing regional food hubs, i.e., centralized facilities designed to aggregate, store, process, distribute, and/or market locally produced food products.
- Support Restorative funding for the Division of Measurement Standards, within the California Department of Food and Agriculture to ensure that consumer protection and commercial device accuracy support is maintained.
- Oppose any legislation that ends the State Organic Program and registration fee used for statewide enforcement performed by the California Department of Food and Agriculture and the County Agricultural Commissioners.
 - California's State Organic Program (SOP) protects consumers, producers, handlers, processors and retailers by establishment of standards under which fresh agricultural products/foods may be labeled and/or sold as "organic". Active local enforcement lends credibility to the organic label and assurance to consumers seeking organic foods. The SOP establishes a registration fee to identify and confirm who in the State is making organic food claims in the marketplace and the validity of those claims. There currently exists no viable alternative to achieve the same level of consumer protection from fraudulent labeling of organic products, which the State Supreme Court recently ruled (\$21630) is a public right.

PUBLIC SAFETY

Summary: Mendocino County strongly supports community safety by providing high quality public safety services to maintain health and safety standards for its residents. The County supports additional State and Federal funding and tools to enhance law enforcement programs and the safety of its residents and public safety employees.

- Support legislation that provides public safety funding through state and federal block grants.
- Supports local flexibility in the administration and implementation of programs funded by Public Safety Realignment Act of 2011 (AB 109). The continued success of implementation activities associated with realignment is dependent upon adequate funding.

- We believe that the State should assume cost increases associated with state-imposed program changes and expansions, as well as federal maintenance of effort mandates.
- Oppose State and/or federal funding reductions that shift responsibility for services, administration or fiscal support to rural counties.
- Support legislative and administrative efforts to address broadband outages impacting our Enhanced 911 (E 9-1-1) services to ensure redundancy and reliable service.
- Advocate for local funding for disaster preparedness and emergency services infrastructure.

ENVIRONMENT & PUBLIC HEALTH

Summary: Mendocino County supports efforts to conserve and preserve the county's natural resources to help restore its fisheries, maintain healthy forests, and ensure agriculture is preserved for future generations. The County supports activities and policies that promote public health and wellness, maintaining residents' quality of life.

- Advocate for the appropriation of remaining Cap and Trade funds from auction revenues and a portion of budgeted funds for local level projects.
 - Support the development and expansion of Cap-and-Trade funding programs specifically targeted at rural communities.
- Oppose 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).
- Support the allocation of Cap and Trade revenues for the development of forestry sector greenhouse gas reduction projects.
- Engage in the formal rulemaking process in the development of the California Department of Resources Recycling and Recovery's (Cal Recycle) proposed regulations implementing Senate Bill 1383 (Lara, 2016) for organic waste diversion from landfills to ensure regulated entities have time to plan and implement any necessary budgetary, contractual, and other program changes.
- Years of extremely dry conditions are taking a toll on forested lands across the state with rapid tree mortality. The County supports State and Federal local assistance, financial resources, regulatory relief and assistance with outreach and coordination efforts to address health and safety risk from dead and dying trees, including areas within the coastal range overseen by the California Coastal Commission.
- Support the long-term reauthorization of the State and Federal Payment-in-lieu-of-taxes program, which provides payments to local governments that help, offset losses in property taxes due to non-taxable State and Federal lands within their boundaries.
- Support long-term federal reauthorization and full funding for Secure Rural Schools & Community Self-Determination Act (SRS), which provides funding for rural counties and school districts to replace revenue from dwindling forest receipts due to national decline in timber harvesting.
- Oppose the inclusion of any portion of the Pacific Coast in Bureau of Ocean Energy Management's Draft Proposed Five-Year Outer Continental Shelf Oil and Gas Leasing Program because such action threatens the regional clean-coast economy, which relies on healthy ecosystems, fisheries, and the multiple visitor-serving industries that depend on them.

- Explore legislative and regulatory options to manage the Tule Elk populations within the Potter and Round Valley regions of Mendocino County.
- Support legislative efforts to provide sustaining wages to IHSS workers while limiting the County's obligation to increases in local required funding.
- Support efforts to sustain or restore funding for Health and Human Services for HHSA safety-net programs and regulations, including: CalFresh Categorical Eligibility; School Lunch Programs; Health Care Enrollment (inmates); Preventing Elder and Dependent Care Abuse; Fees and Charges for Residential Care Facilities for the Elderly; Long-Term Care Ombudsman Program; Drug Abuse Prevention and Safe Disposal Program; Childhood Vaccinations; and Child Welfare/Fatality Case notifications.
- Support the reduction of In-Home Supportive Services (IHSS) local cost share within in the Maintenance of Effort (MOE).
- Advocate for the allocation of additional realignment revenues. Current cost-sharing ratios no longer reflect counties' long-term ability to control costs in the programs.
- Support additional funding and programs that provide improved access to local mental health services, including increased and consistent funding for mental health housing programs, crisis support, and jail diversion programs.
- Support insurance parity for mental health services to ensure residents with private insurance have the same services available as those with Medi-Cal.
- Advocate for the legislator to review the innovation component of the Mental Health Services Act for accountability. Innovation in rural, suburban and urban counties vary drastically and should be evaluated based on local demographics.
- Support sustainable funding for Emergency Medical Services (EMS) Systems.

LIVABILITY

Summary: A vibrant community is full of energy and life, characterized by investment in its people, its culture, and its physical environment. Our environment has a direct effect on the community's overall quality of life. Mendocino County supports programs, services and development that enhance quality of life, as well as improving the neighborhoods we already have in order to create a sense of place and community. Essential to a vibrant community is strong community involvement, the celebration of arts and cultural diversity, and a focus on resource conservation. The County advocates for funding that enhances our ability to improve residents quality of life.

- Advocate for expansion of rural broadband and important issues including: universal right to service which includes maintaining landline connections to those areas without adequate fixed wireless or mobile cellular coverage, adequate funding from state and federal programs such as the California Advanced Services Fund (CASF) and Connect America Fund (CAF) for the deployment of broadband infrastructure projects, and requiring accurate reporting of data used in Broadband mapping.
- Advocate for funding to address and support:
 - Bridging the digital divide.
 - Art and culture exhibits at public buildings to engage community to read, learn, and appreciate art and culture.
 - Advancing literacy.

- Library programming for the community.
- Support legislation clarifying Section 19147 of the Education Code regarding the Librarian salary provisions for County Free Libraries.
- Support legislation that provides local, federal and state funding for parks and recreation programs.
 - Advocate prioritizing funding for trail maintenance for state and federal parks.
- Support opportunities to increase the accessibility and use of the outdoors and embrace legislation and funding opportunities that enhance outdoor recreational activities and access that will also positively influence Mendocino County's economy.
- Oppose closure of State Parks, especially such closures that impact Mendocino County.
- Support funding for transit-oriented development.
- Support investment in youth programs and vocational education.
- Promote policies that increase quality housing and support affordable housing financing and homeownership grant programs.
- Support efforts to address housing support and housing assistance efforts at the state and local levels. Long-term planning, creative funding, and accurate data on homelessness are essential to addressing housing security and homelessness issues.



COUNTY OF MENDOCINO

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COUNTY OF MENDOCINO

BOARD OF SUPERVISORS

501 Low Gap Road • Room 1090
Ukiah, California 95482

June 5, 2007

Honorable Mike Thompson
United States House of Representatives
231 Cannon Office Building
Washington, D.C. 20515

Dear Congressman Thompson:

For over 40 years, local government has been engaged in the "war on marijuana." Communities throughout the nation are in turmoil over the legitimate use of medicinal marijuana, while also living in fear of criminal activity associated with large illegal marijuana grows and the abundance of high power weapons in small rural communities. This is a law enforcement issue, a public health issue, an air quality issue, a revenue issue, and a divisive community issue.

Following the implementation of Proposition No. 215, the Compassionate Use Act of 1996, California residents have become immersed in the debate over legitimate medicinal marijuana use, while also staunchly advocating for the prosecution of criminal behavior associated with illegal large scale marijuana operations. To further exacerbate this situation, SB 420 (Vasconcellos) enacted in 2003 regulates the minimum number of plants allowable for medical use, while also allowing local jurisdictions to adopt/enforce standards and guidelines within their own jurisdictions. Compliance with the State administered California Medical Marijuana Identification Program further compounds the challenge, and blurs the lines of authority between state and local governance. Lastly, in 2000, 60% of Mendocino County voters voted in favor of Measure G, demonstrating support of the personal cannabis initiative.

The role of local law enforcement has become increasingly clouded due to conflicts in State and Federal regulations. As an example, medicinal marijuana "use" is legal under State law, however, "possession and transportation" is illegal and subject to prosecution, placing law enforcement officers in an untenable situation.

California residents exist in a state of a "tug-of-war" over the interpretation of federal, state, and local law. Ballot initiatives are popping up everywhere; each day we learn of colleagues in a similar situation in another town, another city, another county, or another state, who are facing these same issues and challenges.

Calling upon local jurisdictions to adopt individual guidelines, along with the determination of prosecution and enforcement subject to each entity's interpretation, is not the solution. The time has come to call upon our leaders in federal government to initiate, sponsor, and support legislation that calls for the legalization, regulation, and taxation of this multi-billion dollar crop. In Mendocino County alone, the crop value is purported to be in excess of \$5,000,000,000. Local government is in dire need of identifying stable revenue streams, and through your able leadership, we are confident that a taxing mechanism can be achieved.

THE BOARD OF SUPERVISORS

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Third District

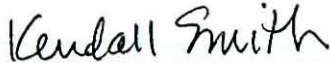
KENDALL SMITH
Fourth District

J. DAVID COLFAX
Fifth District

Page Two
June 5, 2007

The Mendocino County Board of Supervisors urgently requests your immediate attention to this matter. We welcome a contingent of legislative representatives to visit our County to lead the policy discussion in embarking upon a collective effort to legalize, regulate, and tax marijuana.

Sincerely,

A handwritten signature in black ink that reads "Kendall Smith". The signature is written in a cursive, flowing style.

Kendall Smith, Chair
Mendocino County Board of Supervisors

cc: Senator Barbara Boxer, United States Senate
Senator Dianne Feinstein, United States Senate
Governor Arnold Schwarzenegger
Senator Patricia Wiggins, California State Senate
Assemblymember Patty Berg, California State Assembly
Mr. Don Peterson, Peterson Consulting, Inc.
Mr. Paul Schlesinger, Alcalde and Fay
President George W. Bush



North Coast Counties Marijuana Policy Statement

Preamble

North Coast Counties have unique insight into the significant problems and opportunities posed by statewide regulation and potential legalization of adult recreational use of marijuana. Inconsistent State and Federal laws and existing ambiguities in State law have caused significant economic, environmental, and public safety impacts to North Coast Counties related to the cultivation and distribution of marijuana. We strongly encourage the adoption of comprehensive State marijuana policies that will protect local communities and governments and also respect local control.

There is a need for certain and uniform state regulation while at the same time allowing local governments the flexibility to address individual community needs. State regulation should set clear minimum guidelines and should expressly not preempt local government control. State law and policy should reflect the basic reality that economic effects, environmental impacts, and community sensitivity vary widely from rural to urban areas and from one area to another, and have a direct impact on local quality of life. It is imperative that counties retain local control to address impacts appropriately from rural to urban communities.

Policy Statements

I. Local Control

- State leadership is critical to provide a comprehensive regulatory framework which clearly delineates the roles of local and state government.
- Minimum statewide standards on a range of issues including licensing, safety, accounting, state taxation, cultivation standards, distribution and consumer standards should be developed with local input.
- A statewide regulatory program must explicitly preserve the right of local jurisdictions to regulate items of local concern including authority to: issue business licenses and impose local taxes to produce funding streams to fully cover local costs; to enact land use regulations; and to enact other restrictions applicable to the cultivation, distribution, and sale of marijuana based on a local governing body's determination of local needs.
- Existing local authority to regulate or prohibit the indoor or outdoor cultivation of marijuana and the establishment of dispensaries in certain areas must be explicitly preserved.
- The right of local jurisdictions to provide for the health, safety and welfare of their constituents must be respected within an overall state regulatory framework.

II. Revenue & Taxation

- Counties must have the ability to impose fees and fines to recover direct costs of local regulation and code enforcement with respect to all aspects of marijuana cultivation, sales and distribution.
- Counties must have the option to adopt local excise and sales taxes to recover enforcement, environmental and other costs, subject to uniform statewide tax cap limits.

- State and local marijuana related excise and sales tax limits must be set at a level that does not discourage transition to a regulated market.
- Counties must be granted flexibility to further incentivize the transition to a regulated market, for instance, by deferring full imposition of the adopted local tax structure.
- Marijuana, no matter its use (medical or recreational), must be subject to state and local taxation in the same manner and at the same level in order to provide regulatory certainty and avoid the difficulties inherent in establishing a dual system of administration.

III. **Environmental Protection**

- Environmental protection and remediation shall be paramount in any regulatory and/or funding framework.
- Best management practices must be developed and adopted.
- Current environmental enforcement should remain the responsibility of existing regulatory agencies.
- Adequate and flexible enforcement tools must be available to local jurisdictions, including the availability of incentives to encourage responsible environmental practices.
- Counties must receive adequate funding from the state to compensate for local environmental enforcement and remediation including legacy impacts.

IV. **Economics**

- Legalization of marijuana for adult recreational use will have economic implications for North Coast Counties. To mitigate negative effects, the state must allocate a portion of state revenue to assist counties.
- A statewide regulatory program must provide economic development assistance including job training to help North Coast counties of origin successfully rebuild their traditional resource based economies while transitioning to a fully regulated legalized marijuana industry.
- State leadership is also necessary to address larger education and research programs beyond the purview of individual counties. Much like tobacco, the state must allocate funds to implement research, education and prevention programs, particularly for youth, to mitigate marijuana abuse and dependence.
- To ensure that counties can differentiate their products in the marketplace a statewide chain of custody certification program is needed to allow local branding that highlights regional strains, sustainable environmental practices, responsible processing, and ethical business behavior. Chain of custody certification will increase value to local producers and encourage consumers to make responsible purchasing decisions.

Conclusion

North Coast Counties support a comprehensive state regulatory framework that explicitly preserves existing local control, while protecting the environment, local economies and quality of life. We welcome the opportunity to provide additional language and information that supports these policy concepts.



Policy Statement on Marijuana and Youth

The *Mendocino County Policy Council on Children and Youth* and the *Child Abuse Prevention Commission* recognizes that local and state elected officials are currently developing policies and regulations related to medical cannabis and/or the potential legalization of the adult use of marijuana in California. As a community-based coalition interested in promoting and protecting the health and wellness of children; we are concerned that the perspective of youth prevention may be overlooked as local jurisdictions develop policies and guidelines for complex issues such as local control, revenue and taxation, environmental protection, and economics. In response, we recommend the Board of Supervisors adopt the following policies and instruct staff to implement them. We also recommend that the Board of Supervisors submit this Policy Statement on Marijuana and Youth as an addendum to the County's 2016 Legislative Platform.

This statement assumes that legislation as it relates to the legalization of marijuana will maintain a prohibition of personal use for youth under the age of 21.

Suggested language:

V: Youth Prevention

- Marketing and advertising of marijuana to youth must be prohibited in accordance with the same guidelines used to regulate the marketing of tobacco. Such regulation includes, but is not limited to; banning marijuana companies from sponsoring sporting and entertainment events, outlawing free marijuana samples and giveaways, prohibiting television and radio advertisements that promote marijuana use, and prohibiting billboards that advertise the sale of marijuana.
- Retail marijuana products must include a cautionary assertion that reads: "This product is not intended for consumption by children and adolescents under the age of 21, and is unsafe for pregnant women."
- Marijuana products (such as edibles and beverages) must be clearly labeled with potency information, be sold only in opaque child-proof packaging, and be accompanied by the mandatory distribution of educational materials regarding the risks of accidental ingestion by children or household pets.
- Indoor and outdoor marijuana gardens and marijuana retailers must not be allowed within 1,000 feet of a school, licensed child care center or home, recreational facility, playground, or park.
- Public events that include the promotion or sale of marijuana must require identification verifying legal age for admittance.
- A portion of local tax revenue, and a minimum of 20% of statewide tax revenue, generated from marijuana and marijuana-related product sales, wholesale or retail, must be earmarked for local prevention activities including public awareness campaigns devoted to the impacts of marijuana on youth and pregnant women; addressing the impact of marijuana on the developing brain, the risks of second-hand smoke, the legal implications of use by youth, and the potential adverse impact of use on future life opportunities.



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