



# MENDOCINO COUNTY BOARD OF SUPERVISORS

## ONLINE AGENDA SUMMARY

BOARD AGENDA # 5(g)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.  
*Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)*
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: [bosagenda@co.mendocino.ca.us](mailto:bosagenda@co.mendocino.ca.us)
- Electronic Transmission Checklist: ☐ Agenda Summary ☐ Records ☐ Supp. Doc. ☐ If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors DATE: November 23, 2011

FROM: Executive Office MEETING DATE: December 6, 2011

DEPARTMENT RESOURCE/CONTACT: Kristi Furman PHONE: 463-4441 Present ☐ On Call ☒

Consent Agenda ☒ Regular Agenda ☐ Noticed Public Hearing ☐ Time Allocated for Item: N/A

■ **AGENDA TITLE: Ratification of Public Comment Letter Regarding Emergency Regulations Currently Under OAL Review - State Responsibility Area (SRA) Fees Pursuant to ABX1 29**

■ **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** August 2, 2011: Board transmittal of a letter of opposition to ABX1 29; August 16, 2011: Off-agenda urgency item - Board transmittal of a letter of opposition to ABX1 29; September 13, 2011, Board ratification of letter of opposition.

■ **SUMMARY OF REQUEST:** ABX1 29, signed into law by Governor Brown on July 7, imposes a fee structure and regulations for the provision of fire prevention services in State Responsibility Areas (SRA).

The State Board of Forestry and Fire Protection adopted emergency regulations that implement ABX1 29 on August 22, 2011, with a corresponding fee structure up to \$150 pursuant to ABX1 29. On November 9, 2011, the Board of Forestry adopted revised regulations regarding the State Responsibility Area (SRA) fee structure. The newly adopted emergency regulations impose a \$150 fee per habitable structure and includes a \$35 discount for habitable structures that are within the boundaries of a local agency that provides fire protection services. Regarding multidwelling unit structures, the regulations impose a fee of \$150 for the first dwelling unit and an additional \$25 for each additional dwelling unit in the multi-dwelling unit structure (such as apartments and duplexes). One other significant difference between the August 22, regulations and those adopted November 9, is the broader definition of "Habitable Structure," which still includes residential structures, such as single family homes, multi-dwelling structures, mobile homes, etc., but also includes buildings occupied for non-residential uses such as office buildings, stores, hospitals, clinics, medical centers, libraries, and government buildings, including jails. The regulations are under review by the Office of Administrative Law (OAL) for final process approval, offering stakeholders a five-day period to file public comments on the process by which the regulations were adopted. The OAL will either approve and finalize the regulations or send them back to the Board for a more complete public process. Once filed, these regulations are good for 180 days, during which time the Board must develop and adopt permanent regulations.

Under the emergency rulemaking provisions, a five-day public comment period is allowed upon posting of the emergency regulations on the Office of Administrative Law website. Based on the Board of Forestry and Fire Protection's posting of the "pre-notice" and deadline of December 2, the County submitted its official comments on November 23, 2011. Pursuant to County Policy No. 19, the letter is now before the Board for ratification.

■ **SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:** <http://www.bof.fire.ca.gov/>

■ **ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):** ☐

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
N/A			Yes <input type="checkbox"/> No <input type="checkbox"/>

■ **SUPERVISORIAL DISTRICT:** 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All ☒ ■ **VOTE REQUIREMENT:** Majority ☒ 4/5ths ☐

■ **RECOMMENDED ACTION/MOTION:** That the Board ratify the public comment letter regarding emergency regulations to implement State Responsibility Area (SRA) fees pursuant to ABX1 29, as executed by the Vice- Chair.

■ **ALTERNATIVES:** None recommended.

■ **CEO REVIEW (NAME):** Kristi Furman **PHONE:** 463-4441

**BOARD ACTION (DATE: \_\_\_\_\_):** ☐ Approved ☐ Referred to \_\_\_\_\_ ☐ Other \_\_\_\_\_

**RECORDS EXECUTED:** ☐ Agreement: \_\_\_\_\_ ☐ Resolution: \_\_\_\_\_ ☐ Ordinance: \_\_\_\_\_ ☐ Other \_\_\_\_\_