

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: April 3, 2013

From: Richard M. Forster, Chairman
(Department Head - please type)

Phone Ext. _____

- Regular Agenda
- Consent Agenda
- Blue Slip
- Closed Session

Meeting Date Requested:

April 9, 2013

Department Head Signature Richard M. Forster

Agenda Title: Jackson Valley Rehabilitation Project

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Discussion and possible action relative to the Chairman's signature on a letter of of recommendation to be sent to Caltrans, District 10, encouraging construction of a westbound SR-88 left-turn lane at Martin Lane, as part of the subject Project.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required?

Yes

No

Contract Attached:

Yes

No

N/A

Resolution Attached:

Yes

No

N/A

Ordinance Attached

Yes

No

N/A

Comments:

Committee Review?

N/A

Name _____

Committee Recommendation:

Request Reviewed by:

Chairman RMF

Counsel _____

Auditor EGK

GSA Director HP

CAO [Signature]

Risk Management [Signature]

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date

4-9-13

Time _____

Item #

5

Board Action: Approved Yes ___ No ___

Unanimous Vote: Yes ___ No ___

Ayes: _____

Resolution _____

Ordinance _____

Other: _____

Noes: _____

Resolution _____

Ordinance _____

Absent: _____

Comments: _____

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A new ATF is required from _____

Department _____

Completed by _____

For meeting _____

of _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.

ATTEST: _____

Clerk or Deputy Board Clerk

Save



Richard Forster <rforster@amadorgov.org>

Martin Lane

Vu H Nguyen <vu.h.nguyen@dot.ca.gov>
To: Richard Forster <rforster@amadorgov.org>

Tue, Feb 19, 2013 at 3:40 PM

Hello Mr. Forster,

First, I want to clarify that environmental is not the main issue why Caltrans does not support your request to construct the westbound SR-88 left-turn lane at Martin Lane as part of the Jackson Valley Rehabilitation Project. After further discussion with Caltrans staff, I found that the left-turn lane project would not qualify for funding as a stand alone project funded from the Operational Improvement Program and furthermore, a mandatory design exception would be required since the proposed left-turn lane would reduce the clear recovery zone between the travel way and the two PG&E poles. In order to proceed with the installation of the left-turn lane and to protect our design immunity, a mandatory design exception must be prepared by the Design Engineer and approved by HQ Geometric Coordinator. At this stage, it is too late to seek for design exception as the Jackson Valley Rehabilitation Project is already under construction. If you have any questions, please give me a call or email me, we can discuss further. Thanks

Vu H Nguyen, P.E., T.E.
Chief, Traffic Operations Branch
Caltrans, Stockton District 10
Tel: (209) 603-5126
Fax: (209) 948-7886
E-mail: vu_h_nguyen@dot.ca.gov

----- Forwarded by Vu H Nguyen/D10/Caltrans/CAGov on 02/19/2013 03:03 PM -----

Vu H	To
Nguyen/D10/Caltrans/CAGov	Richard Forster <rforster@amadorgov.org>
02/14/2013 08:02 AM	
	cc
	Subject
	Re: Martin Lane

Good morning Richard,

I will discuss with the Project Manager and Environmental staff to find out the issue with ESA (Environmental Sensitive Area). I will let you know as soon as I get the answer. Thanks

Vu H Nguyen, P.E., T.E.
Chief, Traffic Operations Branch
Caltrans, Stockton District 10
Tel: (209) 603-5126
Fax: (209) 948-7886
E-mail: vu_h_nguyen@dot.ca.gov

Richard Forster <rforster@amadorgov.org>

Richard Forster
<rforster@amadorgov.org>

To
<vu_h_nguyen@dot.ca.gov>

02/13/2013 02:02 PM

cc

Subject
Martin Lane

Mr. Nguyen,

This is a reminder of our discussion today, 2/13/13, regarding the possibility of having a left turn pocket installed at the intersection of Highway 88 & Martin Lane. I understand you will need to discuss the endangered species issue with your environmental staff at Cal Trans. I am hopeful that this will not block the improvement since there appears to be adequate right-of-way and dollars in the budget.

Thank you for your agreeing to research this issue.

Richard Forster
Supervisor, District 2
Amador County

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Sent from my mobile device

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: April 3, 2013

From: Richard M. Forster, Chairman
(Department Head - please type)

Phone Ext. _____

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
<u>April 9, 2013</u>	

Department Head Signature *Richard M. Forster*

Agenda Title: Senate Bill 132 (SB 132)

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
Discussion and possible action relative to the Chairman's signature on a letter of of opposition regarding the subject legislation that would establish the Mountain Lion to be a specially protected mammal under the laws of the State, and make it unlawful to take, injure, possess, transport, import, or sell any mountain lion or any part or product thereof.

Recommendation/Requested Action: _____

Fiscal Impacts (attach budget transfer form if appropriate) _____

Staffing Impacts _____

Is a 4/5ths vote required? Yes No

Contract Attached: Yes No N/A
Resolution Attached: Yes No N/A
Ordinance Attached: Yes No N/A

Committee Review? N/A

Name _____

Committee Recommendation: _____

Comments: _____

Request Reviewed by:

Chairman *R Forster*

Counsel _____

Auditor *Ed*

GSA Director *Hof*

CAO *de*

Risk Management *Gr*

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments) _____

FOR CLERK USE ONLY

Meeting Date 4/9/13 Time _____ Item # 6

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes: _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Distributed on _____
Completed by _____
A new ATF is required from _____ Department For meeting of _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.
ATTEST: _____
Clerk or Deputy Board Clerk

~~BILL NUMBER: SB 132~~ ~~INTRODUCED~~
BILL TEXT

INTRODUCED BY Senator Hill
(Principal coauthors: Assembly Members Gordon and Mullin)

JANUARY 25, 2013

An act to add Section 4801.5 to the Fish and Game Code, relating to mountain lions.

LEGISLATIVE COUNSEL'S DIGEST

SB 132, as introduced, Hill. Mountain lions.

Proposition 117, an initiative measure approved by the voters at the June 5, 1990, statewide direct primary election, enacted the California Wildlife Protection Act of 1990. The act establishes that the mountain lion is a specially protected mammal under the laws of this state, and makes it unlawful to take, injure, possess, transport, import, or sell any mountain lion or any part or product thereof. The act authorizes the Department of Fish and Wildlife, or a specified appropriate local agency authorized by the department, to remove or take any mountain lion that is perceived to be an imminent threat to public health or safety or that is perceived by the department to be an imminent threat to the survival of certain sheep species. Under the act, mountain lions that are authorized to be taken are required to be taken by the most effective means available, except a taking by certain designated means is prohibited.

This bill would require nonlethal procedures, as defined, to be used when removing or taking any mountain lion perceived to be an imminent threat to public health or safety unless the mountain lion can reasonably be expected to cause immediate death or physical harm. This bill would authorize the department or an appropriate local agency to partner with qualified individuals, educational institutions, governmental agencies, or nongovernmental organizations to implement nonlethal procedures. This bill would require the department to prepare a wildlife incident report for the Fish and Game Commission when any direct action is taken on a mountain lion, as specified, and would require the commission to submit an annual written report to the Legislature, as prescribed.

The California Wildlife Protection Act of 1990 prohibits the Legislature from changing the act, with specified exceptions, except by a 4/5 vote of the membership of both houses of the Legislature and then only if consistent with, and in furtherance of, the purposes of the act.

This bill would declare that it is consistent with, and furthers the purposes of, that act.

Vote: 4/5. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 4801.5 is added to the Fish and Game Code, to read:

4801.5. (a) Nonlethal procedures shall be used when removing or

~~taking any mountain lion perceived to be an imminent threat to public health or safety unless the mountain lion can reasonably be expected to cause immediate death or physical harm.~~

(b) For purposes of this section, "nonlethal procedures" means procedures that may include, but are not limited to, capturing, pursuing, anesthetizing, temporarily possessing, temporarily injuring, marking, attaching to or surgically implanting monitoring or recognition devices, providing veterinary care, transporting, hazing, relocating, rehabilitating, releasing, or taking no action.

(c) The department, or an appropriate local agency with public safety responsibility authorized by the department, may partner with qualified individuals, educational institutions, governmental agencies, or nongovernmental organizations to implement nonlethal procedures on a mountain lion in accordance with subdivision (a).

(d) The department shall prepare a wildlife incident report for the commission when any direct action, lethal or nonlethal, is taken on a mountain lion pursuant to this chapter. The commission shall compile wildlife incident reports prepared by the department, and prepare and submit an annual written report to the Legislature no later than January 15 following the year in which an incident occurred.

SEC. 2. The Legislature finds and declares that the provisions of this act are consistent with, and further the purposes of, the California Wildlife Protection Act of 1990.



AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: April 3, 2013

From: Richard M. Forster, Chairman
(Department Head - please type)

Phone Ext. _____

Department Head Signature Richard M. Forster

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
<u>April 9, 2013</u>	

Agenda Title: Assembly Bill 134 (AB134)

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
Discussion and possible action relative to the Chairman's signature on a letter of support relative to the subject legislation which would exempt from the Public Records Act, the names and home addresses of California citizens who possess a California Concealed Weapons Permit.

Recommendation/Requested Action: _____

Fiscal Impacts (attach budget transfer form if appropriate) _____

Staffing Impacts _____

Is a 4/5ths vote required? Yes No

Committee Review? N/A

Name _____

Committee Recommendation: _____

Contract Attached: Yes No N/A
Resolution Attached: Yes No N/A
Ordinance Attached: Yes No N/A

Comments: _____

Request Reviewed by:

Chairman RMF

Counsel _____

Auditor EJA

GSA Director HQ

CAO AK

Risk Management AK

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date 4/9/13 Time _____ Item # 7

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes: _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

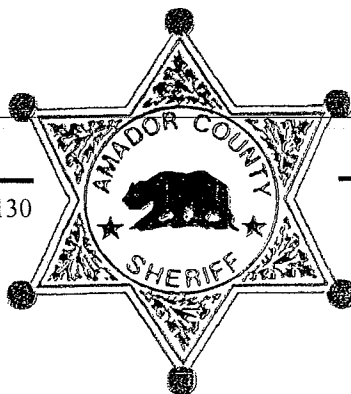
Distributed on _____
Completed by _____
of _____

A new ATF is required from _____
Department _____
For meeting _____
of _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.
ATTEST: _____
Clerk or Deputy Board Clerk

**OFFICE OF THE
SHERIFF-CORONER**

700 COURT STREET • JACKSON, CA 95642-2130



**MARTIN A. RYAN
SHERIFF-CORONER**

(209) 223-6515 • FAX (209) 223-1609

March 27, 2013

The Honorable Dan Logue
Assemblyman, 3rd Assembly District
State Capitol, Room 4158
Sacramento, CA 94249-0003

Re: Assembly Bill 134

Dear Assemblyman Logue,

I am writing you in full support of Assembly Bill 134 which would exempt from the Public Records Act, the names and home addresses of California citizens who possess a California Concealed Weapons Permit (CCW).

The release of this critical personal information is currently authorized and in one instance resulted in the release of this data via a news media release in another state. The release of such information needlessly jeopardizes the safety of our CCW Permit holders and their families. Additionally, the identification of home addresses presents a clear blueprint for criminals looking to steal weapons to be used for unlawful purposes thereby jeopardizing the safety of future crime victims as well as our law enforcement officers.

Thank you for your position on this critically important public safety matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Martin A. Ryan", with a long horizontal flourish extending to the right.

MARTIN A. RYAN
Sheriff-Coroner
Amador County

ED OF COUNTERS
2013 MAR 28 09 11 20
OFFICE OF THE SHERIFF-CORONER
JACKSON, CA

BILL NUMBER: AB 134 AMENDED
BILL TEXT

AMENDED IN ASSEMBLY FEBRUARY 20, 2013

INTRODUCED BY Assembly Members Logue and Mansoor
 (*Principal coauthor: Senator*
 Fuller)

JANUARY 16, 2013

An act to amend Section 6254 of the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 134, as amended, Logue. The California Public Records Act: applications for licenses and licenses to carry firearms.

Existing law, the California Public Records Act, provides that public records are open to inspection at all times during the office hours of the state or local agency that retains those records, and every person has a right to inspect any public record, except as provided. However, existing law provides that nothing in the act shall be construed to require disclosure of information contained in an application for a license to carry a firearm that indicates when or where the applicant is vulnerable to attack or that concerns the applicant's medical or psychological history or that of members of his or her family. Existing law also provides that the provisions shall not be construed to require disclosure of the home address and telephone number of prosecutors, public defenders, peace officers, judges, court commissioners, and magistrates that are set forth in applications for licenses or in licenses to carry firearms, as specified.

This bill would instead provide that the California Public Records ~~act~~ Act shall not be construed to require the disclosure of the ~~home address and telephone number~~ names, home addresses, and telephone numbers of applicants that are set forth in applications to carry firearms or of licensees that are set forth in licenses to carry firearms, as specified. Because this bill would increase the duties of county sheriffs and the chiefs or other heads of police departments that issue firearms license applications, this bill would impose a state-mandated local program.

This bill would also make technical, nonsubstantive changes to these provisions.

Existing constitutional provisions require that a statute that limits the right of access to public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 6254 of the Government Code is amended to read:

6254. Except as provided in Sections 6254.7 and 6254.13, nothing in this chapter shall be construed to require disclosure of records that are any of the following:

(a) Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, if the public interest in withholding those records clearly outweighs the public interest in disclosure.

(b) Records pertaining to pending litigation to which the public agency is a party, or to claims made pursuant to Division 3.6 (commencing with Section 810), until the pending litigation or claim has been finally adjudicated or otherwise settled.

(c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.

(d) Contained in or related to any of the following:

(1) Applications filed with any state agency responsible for the regulation or supervision of the issuance of securities or of financial institutions, including, but not limited to, banks, savings and loan associations, industrial loan companies, credit unions, and insurance companies.

(2) Examination, operating, or condition reports prepared by, on behalf of, or for the use of, any state agency referred to in paragraph (1).

(3) Preliminary drafts, notes, or interagency or intra-agency communications prepared by, on behalf of, or for the use of, any state agency referred to in paragraph (1).

(4) Information received in confidence by any state agency referred to in paragraph (1).

(e) Geological and geophysical data, plant production data, and similar information relating to utility systems development, or market or crop reports, that are obtained in confidence from any person.

(f) Records of complaints to, or investigations conducted by, or records of intelligence information or security procedures of, the office of the Attorney General and the Department of Justice, the ~~California Emergency Management Agency,~~ *Office of Emergency Services,* and any state or local police agency, or any investigatory or security files compiled by any other state or local police agency, or any investigatory or security files compiled by any other state or local agency for correctional, law enforcement, or licensing purposes. However, state and local law enforcement agencies shall disclose the names and addresses of persons involved in, or witnesses other than confidential informants to, the incident, the description of any property involved, the date, time, and location of the incident, all diagrams, statements of the parties involved in the incident, the statements of all witnesses, other than confidential informants, to the victims of an incident, or an authorized representative thereof, an insurance carrier against which a claim has been or might be made, and any person suffering bodily injury or property damage or loss, as the result of the incident caused by arson, burglary, fire, explosion, larceny,

~~robbery, carjacking, vandalism, vehicle theft, or a crime as defined~~
by subdivision (b) of Section 13951, unless the disclosure would endanger the safety of a witness or other person involved in the investigation, or unless disclosure would endanger the successful completion of the investigation or a related investigation. However, nothing in this division shall require the disclosure of that portion of those investigative files that reflects the analysis or conclusions of the investigating officer.

Customer lists provided to a state or local police agency by an alarm or security company at the request of the agency shall be construed to be records subject to this subdivision.

Notwithstanding any other provision of this subdivision, state and local law enforcement agencies shall make public the following information, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation:

(1) The full name and occupation of every individual arrested by the agency, the individual's physical description including date of birth, color of eyes and hair, sex, height and weight, the time and date of arrest, the time and date of booking, the location of the arrest, the factual circumstances surrounding the arrest, the amount of bail set, the time and manner of release or the location where the individual is currently being held, and all charges the individual is being held upon, including any outstanding warrants from other jurisdictions and parole or probation holds.

(2) Subject to the restrictions imposed by Section 841.5 of the Penal Code, the time, substance, and location of all complaints or requests for assistance received by the agency and the time and nature of the response thereto, including, to the extent the information regarding crimes alleged or committed or any other incident investigated is recorded, the time, date, and location of occurrence, the time and date of the report, the name and age of the victim, the factual circumstances surrounding the crime or incident, and a general description of any injuries, property, or weapons involved. The name of a victim of any crime defined by Section 220, 236.1, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3 (as added by Section 6 of Proposition 83 of the November 7, 2006, statewide general election), 288.4, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6 of the Penal Code may be withheld at the victim's request, or at the request of the victim's parent or guardian if the victim is a minor. When a person is the victim of more than one crime, information disclosing that the person is a victim of a crime defined in any of the sections of the Penal Code set forth in this subdivision may be deleted at the request of the victim, or the victim's parent or guardian if the victim is a minor, in making the report of the crime, or of any crime or incident accompanying the crime, available to the public in compliance with the requirements of this paragraph.

(3) Subject to the restrictions of Section 841.5 of the Penal Code and this subdivision, the current address of every individual arrested by the agency and the current address of the victim of a crime, where the requester declares under penalty of perjury that the request is made for a scholarly, journalistic, political, or governmental purpose, or that the request is made for investigation purposes by a licensed private investigator as described in Chapter 11.3 (commencing with Section 7512) of Division 3 of the Business and Professions Code. However, the address of the victim of any crime defined by Section 220, 236.1, 261, 261.5, 262, 264, 264.1, 265, 266,

~~266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5,~~
285, 286, 288, 288a, 288.2, 288.3 (as added by Section 6 of Proposition 83 of the November 7, 2006, statewide general election), 288.4, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6 of the Penal Code shall remain confidential. Address information obtained pursuant to this paragraph may not be used directly or indirectly, or furnished to another, to sell a product or service to any individual or group of individuals, and the requester shall execute a declaration to that effect under penalty of perjury. Nothing in this paragraph shall be construed to prohibit or limit a scholarly, journalistic, political, or government use of address information obtained pursuant to this paragraph.

(g) Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examination, except as provided for in Chapter 3 (commencing with Section 99150) of Part 65 of Division 14 of Title 3 of the Education Code.

(h) The contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the state or local agency relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained. However, the law of eminent domain shall not be affected by this provision.

(i) Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying the information.

(j) Library circulation records kept for the purpose of identifying the borrower of items available in libraries, and library and museum materials made or acquired and presented solely for reference or exhibition purposes. The exemption in this subdivision shall not apply to records of fines imposed on the borrowers.

(k) Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege.

(l) Correspondence of and to the Governor or employees of the Governor's office or in the custody of or maintained by the Governor's Legal Affairs Secretary. However, public records shall not be transferred to the custody of the Governor's Legal Affairs Secretary to evade the disclosure provisions of this chapter.

(m) In the custody of or maintained by the Legislative Counsel, except those records in the public database maintained by the Legislative Counsel that are described in Section 10248.

(n) Statements of personal worth or personal financial data required by a licensing agency and filed by an applicant with the licensing agency to establish his or her personal qualification for the license, certificate, or permit applied for.

(o) Financial data contained in applications for financing under Division 27 (commencing with Section 44500) of the Health and Safety Code, where an authorized officer of the California Pollution Control Financing Authority determines that disclosure of the financial data would be competitively injurious to the applicant and the data is required in order to obtain guarantees from the United States Small Business Administration. The California Pollution Control Financing Authority shall adopt rules for review of individual requests for confidentiality under this section and for making available to the public those portions of an application that are subject to disclosure under this chapter.

(p) Records of state agencies related to activities governed by

~~Chapter 10.3 (commencing with Section 3512), Chapter 10.5 (commencing with Section 3525), and Chapter 12 (commencing with Section 3560) of Division 4, that reveal a state agency's deliberative processes, impressions, evaluations, opinions, recommendations, meeting minutes, research, work products, theories, or strategy, or that provide instruction, advice, or training to employees who do not have full collective bargaining and representation rights under these chapters. Nothing in this subdivision shall be construed to limit the disclosure duties of a state agency with respect to any other records relating to the activities governed by the employee relations acts referred to in this subdivision.~~

(q) (1) Records of state agencies related to activities governed by Article 2.6 (commencing with Section 14081), Article 2.8 (commencing with Section 14087.5), and Article 2.91 (commencing with Section 14089) of Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, that reveal the special negotiator's deliberative processes, discussions, communications, or any other portion of the negotiations with providers of health care services, impressions, opinions, recommendations, meeting minutes, research, work product, theories, or strategy, or that provide instruction, advice, or training to employees.

(2) Except for the portion of a contract containing the rates of payment, contracts for inpatient services entered into pursuant to these articles, on or after April 1, 1984, shall be open to inspection one year after they are fully executed. If a contract for inpatient services that is entered into prior to April 1, 1984, is amended on or after April 1, 1984, the amendment, except for any portion containing the rates of payment, shall be open to inspection one year after it is fully executed. If the California Medical Assistance Commission enters into contracts with health care providers for other than inpatient hospital services, those contracts shall be open to inspection one year after they are fully executed.

(3) Three years after a contract or amendment is open to inspection under this subdivision, the portion of the contract or amendment containing the rates of payment shall be open to inspection.

(4) Notwithstanding any other provision of law, the entire contract or amendment shall be open to inspection by the Joint Legislative Audit Committee and the Legislative Analyst's Office. The committee and that office shall maintain the confidentiality of the contracts and amendments until the time a contract or amendment is fully open to inspection by the public.

(r) Records of Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code maintained by, or in the possession of, the Native American Heritage Commission, another state agency, or a local agency.

(s) A final accreditation report of the Joint Commission on Accreditation of Hospitals that has been transmitted to the State Department of Health Care Services pursuant to subdivision (b) of Section 1282 of the Health and Safety Code.

(t) Records of a local hospital district, formed pursuant to Division 23 (commencing with Section 32000) of the Health and Safety Code, or the records of a municipal hospital, formed pursuant to Article 7 (commencing with Section 37600) or Article 8 (commencing with Section 37650) of Chapter 5 of Part 2 of Division 3 of Title 4 of this code, that relate to any contract with an insurer or nonprofit hospital service plan for inpatient or outpatient services for alternative rates pursuant to Section 10133 of the Insurance Code. However, the record shall be open to inspection within one year

~~after the contract is fully executed.~~

(u) (1) Information contained in applications for licenses to carry firearms issued pursuant to Section 26150, 26155, 26170, or 26215 of the Penal Code by the sheriff of a county or the chief or other head of a municipal police department that indicates when or where the applicant is vulnerable to attack or that concerns the applicant's medical or psychological history or that of members of his or her family.

(2) ~~The home address and telephone number~~ names, home addresses, and telephone numbers of applicants that are set forth in applications for licenses to carry firearms issued pursuant to Section 26150, 26155, 26170, or 26215 of the Penal Code by the sheriff of a county or the chief or other head of a municipal police department.

(3) ~~The home address and telephone number~~ names, home addresses, and telephone numbers of licensees that are set forth in licenses to carry firearms issued pursuant to Section 26150, 26155, 26170, or 26215 of the Penal Code by the sheriff of a county or the chief or other head of a municipal police department.

(v) (1) Records of the Managed Risk Medical Insurance Board related to activities governed by Part 6.3 (commencing with Section 12695), Part 6.5 (commencing with Section 12700), Part 6.6 (commencing with Section 12739.5), and Part 6.7 (commencing with Section 12739.70) of Division 2 of the Insurance Code, and that reveal any of the following:

(A) The deliberative processes, discussions, communications, or any other portion of the negotiations with entities contracting or seeking to contract with the board, entities with which the board is considering a contract, or entities with which the board is considering or enters into any other arrangement under which the board provides, receives, or arranges services or reimbursement.

(B) The impressions, opinions, recommendations, meeting minutes, research, work product, theories, or strategy of the board or its staff, or records that provide instructions, advice, or training to employees.

(2) (A) Except for the portion of a contract that contains the rates of payment, contracts entered into pursuant to Part 6.3 (commencing with Section 12695), Part 6.5 (commencing with Section 12700), Part 6.6 (commencing with Section 12739.5), or Part 6.7 (commencing with Section 12739.70) of Division 2 of the Insurance Code, on or after July 1, 1991, shall be open to inspection one year after their effective dates.

(B) If a contract that is entered into prior to July 1, 1991, is amended on or after July 1, 1991, the amendment, except for any portion containing the rates of payment, shall be open to inspection one year after the effective date of the amendment.

(3) Three years after a contract or amendment is open to inspection pursuant to this subdivision, the portion of the contract or amendment containing the rates of payment shall be open to inspection.

(4) Notwithstanding any other law, the entire contract or amendments to a contract shall be open to inspection by the Joint Legislative Audit Committee. The committee shall maintain the confidentiality of the contracts and amendments thereto, until the contracts or amendments to the contracts are open to inspection pursuant to paragraph (3).

(w) (1) Records of the Managed Risk Medical Insurance Board related to activities governed by Chapter 8 (commencing with Section 10700) of Part 2 of Division 2 of the Insurance Code, and that reveal

~~the deliberative processes, discussions, communications, or any~~
other portion of the negotiations with health plans, or the impressions, opinions, recommendations, meeting minutes, research, work product, theories, or strategy of the board or its staff, or records that provide instructions, advice, or training to employees.

(2) Except for the portion of a contract that contains the rates of payment, contracts for health coverage entered into pursuant to Chapter 8 (commencing with Section 10700) of Part 2 of Division 2 of the Insurance Code, on or after January 1, 1993, shall be open to inspection one year after they have been fully executed.

(3) Notwithstanding any other law, the entire contract or amendments to a contract shall be open to inspection by the Joint Legislative Audit Committee. The committee shall maintain the confidentiality of the contracts and amendments thereto, until the contracts or amendments to the contracts are open to inspection pursuant to paragraph (2).

(x) Financial data contained in applications for registration, or registration renewal, as a service contractor filed with the Director of Consumer Affairs pursuant to Chapter 20 (commencing with Section 9800) of Division 3 of the Business and Professions Code, for the purpose of establishing the service contractor's net worth, or financial data regarding the funded accounts held in escrow for service contracts held in force in this state by a service contractor.

(y) (1) Records of the Managed Risk Medical Insurance Board related to activities governed by Part 6.2 (commencing with Section 12693) or Part 6.4 (commencing with Section 12699.50) of Division 2 of the Insurance Code, and that reveal any of the following:

(A) The deliberative processes, discussions, communications, or any other portion of the negotiations with entities contracting or seeking to contract with the board, entities with which the board is considering a contract, or entities with which the board is considering or enters into any other arrangement under which the board provides, receives, or arranges services or reimbursement.

(B) The impressions, opinions, recommendations, meeting minutes, research, work product, theories, or strategy of the board or its staff, or records that provide instructions, advice, or training to employees.

(2) (A) Except for the portion of a contract that contains the rates of payment, contracts entered into pursuant to Part 6.2 (commencing with Section 12693) or Part 6.4 (commencing with Section 12699.50) of Division 2 of the Insurance Code, on or after January 1, 1998, shall be open to inspection one year after their effective dates.

(B) If a contract entered into pursuant to Part 6.2 (commencing with Section 12693) or Part 6.4 (commencing with Section 12699.50) of Division 2 of the Insurance Code is amended, the amendment shall be open to inspection one year after the effective date of the amendment.

(3) Three years after a contract or amendment is open to inspection pursuant to this subdivision, the portion of the contract or amendment containing the rates of payment shall be open to inspection.

(4) Notwithstanding any other law, the entire contract or amendments to a contract shall be open to inspection by the Joint Legislative Audit Committee. The committee shall maintain the confidentiality of the contracts and amendments thereto until the contract or amendments to a contract are open to inspection pursuant to paragraph (2) or (3).

(5) The exemption from disclosure provided pursuant to this

~~subdivision for the contracts, deliberative processes, discussions,~~
communications, negotiations, impressions, opinions, recommendations,
meeting minutes, research, work product, theories, or strategy of
the board or its staff shall also apply to the contracts,
deliberative processes, discussions, communications, negotiations,
impressions, opinions, recommendations, meeting minutes, research,
work product, theories, or strategy of applicants pursuant to Part
6.4 (commencing with Section 12699.50) of Division 2 of the Insurance
Code.

(z) Records obtained pursuant to paragraph (2) of subdivision (f)
of Section 2891.1 of the Public Utilities Code.

(aa) A document prepared by or for a state or local agency that
assesses its vulnerability to terrorist attack or other criminal acts
intended to disrupt the public agency's operations and that is for
distribution or consideration in a closed session.

(ab) Critical infrastructure information, as defined in Section
131(3) of Title 6 of the United States Code, that is voluntarily
submitted to the ~~California Emergency Management Agency~~
Office of Emergency Services for use by that
office, including the identity of the person who or entity that
voluntarily submitted the information. As used in this subdivision,
"voluntarily submitted" means submitted in the absence of the office
exercising any legal authority to compel access to or submission of
critical infrastructure information. This subdivision shall not
affect the status of information in the possession of any other state
or local governmental agency.

(ac) All information provided to the Secretary of State by a
person for the purpose of registration in the Advance Health Care
Directive Registry, except that those records shall be released at
the request of a health care provider, a public guardian, or the
registrant's legal representative.

(ad) The following records of the State Compensation Insurance
Fund:

(1) Records related to claims pursuant to Chapter 1 (commencing
with Section 3200) of Division 4 of the Labor Code, to the extent
that confidential medical information or other individually
identifiable information would be disclosed.

(2) Records related to the discussions, communications, or any
other portion of the negotiations with entities contracting or
seeking to contract with the fund, and any related deliberations.

(3) Records related to the impressions, opinions, recommendations,
meeting minutes of meetings or sessions that are lawfully closed to
the public, research, work product, theories, or strategy of the fund
or its staff, on the development of rates, contracting strategy,
underwriting, or competitive strategy pursuant to the powers granted
to the fund in Chapter 4 (commencing with Section 11770) of Part 3 of
Division 2 of the Insurance Code.

(4) Records obtained to provide workers' compensation insurance
under Chapter 4 (commencing with Section 11770) of Part 3 of Division
2 of the Insurance Code, including, but not limited to, any medical
claims information, policyholder information , provided
that nothing in this paragraph shall be interpreted to prevent an
insurance agent or broker from obtaining proprietary information or
other information authorized by law to be obtained by the agent or
broker, and information on rates, pricing, and claims handling
received from brokers.

(5) (A) Records that are trade secrets pursuant to Section
6276.44, or Article 11 (commencing with Section 1060) of Chapter 4 of
Division 8 of the Evidence Code, including , without
limitation, instructions, advice, or training provided by the State

~~Compensation Insurance Fund to its board members, officers, and~~
employees regarding the fund's special investigation unit, internal
audit unit, and informational security, marketing, rating, pricing,
underwriting, claims handling, audits, and collections.

(B) Notwithstanding subparagraph (A), the portions of records
containing trade secrets shall be available for review by the Joint
Legislative Audit Committee, the ~~Bureau of State Audits~~

California State Auditor's Office , Division of
Workers' Compensation, and the Department of Insurance to ensure
compliance with applicable law.

(6) (A) Internal audits containing proprietary information and the
following records that are related to an internal audit:

(i) Personal papers and correspondence of any person providing
assistance to the fund when that person has requested in writing that
his or her papers and correspondence be kept private and
confidential. Those papers and correspondence shall become public
records if the written request is withdrawn, or upon order of the
fund.

(ii) Papers, correspondence, memoranda, or any substantive
information pertaining to any audit not completed or an internal
audit that contains proprietary information.

(B) Notwithstanding subparagraph (A), the portions of records
containing proprietary information, or any information specified in
subparagraph (A) shall be available for review by the Joint
Legislative Audit Committee, the ~~Bureau of State Audits~~

California State Auditor's Office , Division of
Workers' Compensation, and the Department of Insurance to ensure
compliance with applicable law.

(7) (A) Except as provided in subparagraph (C), contracts
entered into pursuant to Chapter 4 (commencing with Section 11770) of
Part 3 of Division 2 of the Insurance Code shall be open to
inspection one year after the contract has been fully executed.

(B) If a contract entered into pursuant to Chapter 4 (commencing
with Section 11770) of Part 3 of Division 2 of the Insurance Code is
amended, the amendment shall be open to inspection one year after the
amendment has been fully executed.

(C) Three years after a contract or amendment is open to
inspection pursuant to this subdivision, the portion of the contract
or amendment containing the rates of payment shall be open to
inspection.

(D) Notwithstanding any other law, the entire contract or
amendments to a contract shall be open to inspection by the Joint
Legislative Audit Committee. The committee shall maintain the
confidentiality of the contracts and amendments thereto until the
contract or amendments to a contract are open to inspection pursuant
to this paragraph.

(E) This paragraph is not intended to apply to documents related
to contracts with public entities that are not otherwise expressly
confidential as to that public entity.

(F) For purposes of this paragraph, "fully executed" means the
point in time when all of the necessary parties to the contract have
signed the contract.

This section shall not prevent any agency from opening its records
concerning the administration of the agency to public inspection,
unless disclosure is otherwise prohibited by law.

This section shall not prevent any health facility from disclosing
to a certified bargaining agent relevant financing information
pursuant to Section 8 of the National Labor Relations Act (29 U.S.C.
Sec. 158).

SEC. 2. The Legislature finds and declares that this act imposes a

~~limitation on the public's right of access to the meetings of public~~
bodies or the writings of public officials and agencies within the
meaning of Section 3 of Article I of the California Constitution.
Pursuant to that constitutional provision, the Legislature makes the
following finding to demonstrate the interest protected by this
limitation and the need for protecting the interest:

In order to prevent crimes against applicants for licenses to
carry firearms and persons who are licensed to carry firearms, it is
necessary that this act take effect.

SEC. 3. If the Commission on State Mandates determines that this
act contains costs mandated by the state, reimbursement to local
agencies and school districts for those costs shall be made pursuant
to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of
the Government Code.

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: April 3, 2013

From: Theodore F. Novelli, District III
(Department Head - please type)

Phone Ext. _____

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
<u>April 9, 2013</u>	

Department Head Signature _____

Agenda Title: Senate Bill 296 (SB296)

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
Discussion and possible action relative to approval of the Chairman's signature on a letter of support for the subject legislation which would increase local assistance funding for County Veterans Service Officers.

Supervisor Novelli and Veterans Service Officer, Terry Sanders will be providing input relative to this item.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required? Yes No

Contract Attached: Yes No N/A
Resolution Attached: Yes No N/A
Ordinance Attached: Yes No N/A

Committee Review? N/A

Name _____

Committee Recommendation: _____

Comments: _____

Request Reviewed by:

Chairman [Signature]

Counsel _____

Auditor [Signature]

GSA Director [Signature]

CAO [Signature]

Risk Management [Signature]

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date 4/9/13 Time _____ Item # 8

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Distributed on _____	A new ATF is required from _____ Department For meeting of _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors. ATTEST: _____ Clerk or Deputy Board Clerk
Completed by _____		

Save



COUNTY OF
SAN BERNARDINO

BOARD OF SUPERVISORS

COUNTY ADMINISTRATIVE
OFFICE

Robert Lovingood First District
Janice Rutherford, Chair Second District
James Ramos Third District
Gary C. Ovitt, Vice Chair Fourth District
Josie Gonzales Fifth District

GOVERNMENTAL & LEGISLATIVE
AFFAIRS

385 North Arrowhead Avenue
San Bernardino, CA 92415-0110
(909) 387-4821

GREGORY C. DEVEREAUX
Chief Executive Officer

March 13, 2013

The Honorable Lou Correa
California State Senate
State Capitol Building
Sacramento, CA 95814

RE: SB 296 (Correa) – As introduced February 15, 2013 – SUPPORT

Dear Senator Correa,

On behalf of the County of San Bernardino, I am writing to support SB 296 for increased local assistance funding for County Veterans Service Officers (CVSOs). If enacted, this legislation would increase the amount of State assistance to County Veterans Service Officers by \$5 million statewide.

Currently, counties provide approximately 84% of the cost associated with services provided by CVSOs. The other 16% is provided by the State through the California Department of Veterans Affairs (CDVA). The State currently allocates \$2.6 million per year to be distributed among the 56 California counties with CVSOs. This allocation has remained nearly unchanged for the past 18 years and is inadequate to properly fund the CVSOs. According to the CDVA, CVSOs obtained \$3.65 billion in federal veterans benefits for California veterans and their dependents from 1995 to 2011. Securing these additional veterans benefits only cost the State General Fund \$38 million. This reflects a return of more than \$95 for every dollar the State allocated for CVSOs.

Presently, there are an estimated 360,000 veterans, active duty military and their families living in San Bernardino County. Passage of SB 296 would make it possible to expand services to thousands of underserved veterans and their dependents. For these reasons, the County of San Bernardino is pleased to support SB 296. If you have any questions, please contact Josh Candelaria, Director of Governmental and Legislative Affairs, at (909) 387-4281.

Sincerely,

Janice Rutherford
Board of Supervisors Chair
Second District Supervisor
County of San Bernardino

cc Each Member and Consultant, Senate Veterans Affairs Committee
cc San Bernardino County Legislative Delegation

BILL NUMBER: SB 296 AMENDED
BILL TEXT

AMENDED IN SENATE APRIL 1, 2013

INTRODUCED BY Senator Correa

FEBRUARY 15, 2013

An act to add Section 972.3 to the Military and Veterans Code, relating to county veterans service officers, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 296, as amended, Correa. County veterans service officers.

Existing law requires funds to be disbursed each fiscal year on a pro rata basis to counties that have established and maintained a county veterans service officer in accordance with the staffing level and workload of each county veterans service officer, under a specified formula.

This bill would appropriate the sum of ~~-\$5,000,000~~ \$9,000,000 from the General Fund to the Department of Veterans Affairs for the disbursement to counties to fund the activities of county veterans service officers and veterans service organizations, as specified.

Vote: 2/3. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) The recent conflicts in the countries of Iraq and Afghanistan are creating an entirely new generation of veterans who may be eligible for federal veterans benefits because of their war service and their physical and mental condition. California service members make up to 10 percent of the military forces used in these conflicts.

(b) The California National Guard and California-based reserve units have contributed significantly to these current conflicts.

(c) Many of these returning California veterans are not aware of the federal and state benefits that are available to them.

(d) Additionally, it is estimated that in California there may be over two million veterans and their widows or widowers, who are unaware that they may be eligible for pensions from the federal government based upon their past military service in World War II, Korea, Vietnam, or the Gulf War.

(e) California's county veterans service officers (CVSO's) are the initial local point of contact for claimants accessing the United States Department of Veterans Affairs.

(f) The costs of maintaining CVSO's are shared from county general funds and state reimbursement to the counties. In 1997, in order to track performance, the Governor signed into law Senate Bill 608, which required the Department of Veterans Affairs to annually report

the amount of monetary benefits paid to veterans by the federal government that were attributable to the assistance of CVSO's. Senate Bill 608 of the 1997-98 Regular Session requires the Department of Finance to consider an increase in the annual budget for CVSO's of up ~~\$5,000,000,~~ to \$5 million, if approved

in the yearly budget process. In 2009, the Governor signed Senate Bill 419 into law, which raised this amount to \$11,000,000, if approved in the yearly budget process.

(g) As a result of this annual reporting, by the end of 2011 it had been determined that from 1995 to 2011, the state had cumulatively budgeted \$36.2 million for its share of the cost of the CVSO's. As a result of this investment, CVSO's were able to assist local veterans in obtaining \$3.3 billion in new federal moneys. This is a return of about \$91 for every dollar the state allocates to CVSO's. Furthermore, \$3.6 billion only reflects the actual monetary benefits qualified for in a given year. The monetary benefits qualified for in prior years are not tracked, yet the veterans and their dependents may continue to receive those benefits for the rest of their life. Added to this stellar return on the state's investment, but not counted in the annual reporting are the Medi-Cal cost avoidance savings incurred as a result of CVSO's qualifying and shifting veterans away from Medi-Cal and onto the appropriate federal veterans program.

(h) CVSO's had accomplished all of this without ever reaching the allowable state budget allocation of \$5 million, set in 1997, or the updated allowable allocation set in 2009. To date, the CVSO's have not received more than \$2.6 million per year from the state.

(i) It is critical that the CVSO's receive an increase in this allocation because there continues to be a large number of underserved veterans and their dependents who are not aware of the federal benefits available to them as a result of their military service. Studies from other states have shown that increases in CVSO's have resulted in larger amounts of federal moneys to the veterans. These new federal moneys and benefits are paid directly from the United States Department of Veterans Affairs to the qualifying veteran or their dependent and are used in the local economy.

SEC. 2. Section 972.3 is added to the Military and Veterans Code, to read:

972.3. Notwithstanding any other law, the sum of ~~five~~ ~~nine~~ million dollars ~~—(\$5,000,000)~~

~~(\$9,000,000)~~ is hereby appropriated from the General Fund to the Department of Veterans Affairs for ~~the~~ ~~disbursement to counties in accordance with the~~ ~~existing procedures established under Section 972.1.~~ ~~as follows:~~

(a) Seven million six hundred thousand dollars (\$7,600,000) to counties to fund the services of county veterans service officers, including, but not limited to, increased outreach to veterans that are unaware of benefits to which they may be entitled and assisting veterans to file claims.

(b) One million four hundred thousand dollars (\$1,400,000) to veterans service organizations to support the services of those organizations under Section 699.5, including, but not limited to, outreach to veterans that are unaware of benefits to which they may be entitled and assisting veterans to file claims.

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: April 4, 2023

From: Brian Oneto, District V
(Department Head - please type)

Phone Ext. 470

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
<u>April 9, 2013</u>	

Department Head Signature _____

Agenda Title: Assembly Bill 350 (AB350)

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 Discussion and possible action relative to approval of the Chairman's signature on a letter of support for the Forest Fire Prevention Act which expands the diameter of a tree stump exempted from the Forest Fire Prevention Exemption under the Timber Harvest Plan.

Recommendation/Requested Action: _____

Fiscal Impacts (attach budget transfer form if appropriate) _____

Staffing Impacts _____

Is a 4/5ths vote required? Yes <input type="checkbox"/> No <input type="checkbox"/>	Contract Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Resolution Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Ordinance Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Comments: _____
Committee Review? N/A <input type="checkbox"/> Name _____ Committee Recommendation: _____	

Request Reviewed by:

Chairman _____ Counsel _____

Auditor _____ GSA Director _____

CAO _____ Risk Management _____

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date 4-9-13 Time _____ Item # 9

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

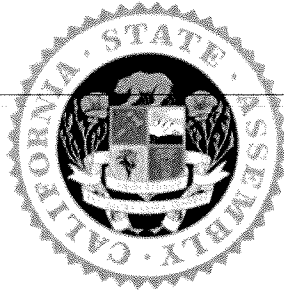
Noes _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Distributed on _____	A new ATF is required from _____ Department	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors. ATTEST: _____ Clerk or Deputy Board Clerk
Completed by _____	For meeting of _____	

Save

Assemblyman Frank Bigelow
5th Assembly District
California State Capitol, 4116
Sacramento, CA 95814
P: 916-319-2005 | F: 916-319-2105



Hello,

Assemblyman Frank Bigelow (R- O'Neals) and Assemblyman Bob Wieckowski (D-Fremont) have Joint Authored AB 350, The Forest Fire Prevention Exemption Act of 2013. This bipartisan effort comes at a critical time; forests are overgrown, the threat of wild fire is prevalent and the consequences could be catastrophic for wildlife, our ecosystems and Californians. AB 350 simply cuts the red tape to allow private forest land owners to do the much-needed work of clearing out deadwood, underbrush and other highly flammable materials that turn healthy forest fires disastrous.

According to the United States Forest Service, 550,000 acres of private timberland is still over-stocked and in need of thinning. Since the inception of the FFPE 10 years ago, only 8,000 acres of private forest land have been thinned to reduce the threat of rampant wild fires. While this is a step in the right direction, there is still much more that needs to be done.

Currently, the Forest Fire Prevention Exemption (FFPE) in the Timber Harvest Plan (THP) allows trees less than 18 inches at stump diameter to be cleared and in special circumstances trees less than 24 inches in stump diameter without forcing the landowner to spend upwards of \$40,000 to file a THP. Unfortunately, the current FFPE exemption has been under-utilized and adequate fire thinning has not been accomplished in California.

AB 350 would simply increase the diameter of the stump size under the FFPE exemption. Under AB 350, trees with a 28 inch stump diameter would qualify under the FFPE in most instances, and 34 inches where it is necessary to achieve the state's fuel reduction goals.

I am writing because I believe your organization and its members could benefit from this legislation, and I invite you to join our efforts in supporting our bill. Please find the fact sheet and language of the bill enclosed, along with a sample support letter.

Assemblyman Bigelow and Assemblyman Wieckowski are looking forward to working with your organizations to help private forest land owners, the environment and California industry with this legislation. Thank you for your consideration.

A handwritten signature in cursive script that reads "Frank Bigelow".

Assemblyman Frank Bigelow
Assemblyman, 5th Assembly District

[Insert Letterhead]

[Date]

The Honorable XX
P.O. Box 942849, Room XX
Sacramento, CA 94249

Re: Letter of Support for the Forest Fire Prevention Act, AB 350

Dear Assemblymember [BIGELOW/WIECKOWSKI]

On behalf of X, I am writing in support of the Forest Fire Prevention Act, AB 350, joint-authored by Assembly Members Bigelow and Wickowski, which expands the diameter of a tree stump exempted from the Forest Fire Prevention Exemption under the Timber Harvest Plan.

California's forests provide our state with wildlife habitat, carbon sequestration, water supply, forest products and recreation. It is essential to our ecosystems and industry that we supply our private forest-land owners the tools necessary to protect our forests from destructive fires.

AB 350 would simply increase the diameter of the stump size under the FFPE exemption. Under AB 350, trees with a 28 inch stump diameter would qualify under the FFPE in most instances, and 34 inches where it is necessary to achieve the state's fuel reduction goals.

California's privately-owned forest lands offer a vast array of benefits and it is imperative we do everything we can to keep our forest flourishing and safe. That is why organization X will be supporting Assemblymember Bigelow and Assemblymember Wieckowski's AB 350, the Forest Fire Prevention Act.

Sincerely,

AB 350 (Wieckowski and Bigelow)

Forest Fire Prevention Act

EXISTING LAW

In response to the devastating wildfires that swept across Southern California in 2003, the legislature created the Forest Fire Prevention Exemption (FFPE) to the Timber Harvest Plan (THP) in order to incentivize landowners to engage in forest thinning projects intended to reduce the threat of wildfire and to lessen the intensity of wildfires.

Specifically, current law allows for trees less than 18 inches in stump diameter to be cleared and in special circumstances trees less than 24 inches in stump diameter to be cleared, without forcing the landowner to spend upwards of \$40,000 to file a THP. The pilot exemption was renewed twice by the legislature and made permanent last year without any concern expressed by the public and not a single “no” vote.

PROBLEM

Unfortunately over the last 10 years the program has not realized the legislative intent of achieving adequate fire thinning in the state. Since the law’s passage thinning on private forest lands has dropped from 25,000 acres to less than 5,000 acres in 2008 and an average of only 800 acres have been thinned annually.

According to the U.S. Forest Service, 550,000 acres of private timberland is over-stocked and in need of thinning. Given the reality that 1/3 of the state is forestland; California cannot ignore this threat for economic and environmental reasons. From 2005-2011, 832,080 acres of California forestland were burned in wildfires, costing the state over \$1.2 billion in fire suppression costs. The total greenhouse gas emissions (CO2 equivalent) from all forest fires from 2001-2008 is 142 million; the same emissions as 30 million cars driving for 1 year. In addition to the increasing burden on California taxpayers and the massive climate change impacts, inadequate forest thinning and the resulting forest fires destroy wildlife habitat, wildlife, pollute our air, and water.

SOLUTION

The reason that the FFPE has been underutilized over the past 10 years is that the 18 and 24-inch stump diameter limits in existing law do not enable a private landowner to engage in fire thinning projects that are economically feasible. AB 350 would raise the diameter of a tree that qualifies under the FFPE to 28 inches in most instances, and 34 inches where it is necessary to achieve the State’s fuel reduction goals.

STATUS

- Introduced February 13th, 2013

FOR MORE INFORMATION

Ashley Medina

Office of Assembly Member Bob Wieckowski

Phone: (916) 319-2025

Email: Ashley.Medina@asm.ca.gov

Katie Masingale

Office of Assembly Member Frank Bigelow

Phone: (916) 319-2005

Email: Katie.Masingale@asm.ca.gov

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: April 3, 2013

From: Jennifer Burns, Clerk of the Board
(Department Head - please type)

Phone Ext. _____

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
<u>April 9, 2013</u>	

Department Head Signature _____

Agenda Title: Minutes

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
Discussion and possible action relative to approval of the March 26, 2013, Board of Supervisors Meeting Minutes.

Recommendation/Requested Action: _____

Fiscal Impacts (attach budget transfer form if appropriate) _____ Staffing Impacts _____

Is a 4/5ths vote required? Yes No

Committee Review? Name _____ N/A

Committee Recommendation: _____

Contract Attached: Yes No N/A
Resolution Attached: Yes No N/A
Ordinance Attached: Yes No N/A

Comments: _____

Request Reviewed by:

Chairman [Signature] Counsel _____
Auditor [Signature] GSA Director [Signature]
CAO [Signature] Risk Management [Signature]

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date 4/9/13 Time _____ Item # 10

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___
Ayes: _____ Resolution _____ Ordinance _____ Other: _____
Noes: _____ Resolution _____ Ordinance _____
Absent: _____ Comments: _____

Distributed on _____
Completed by _____
A new ATF is required from _____ Department _____ For meeting of _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.
ATTEST: _____
Clerk or Deputy Board Clerk

Save

AGENDA TRANSMITTAL FORM

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session

To: **Board of Supervisors**

Date: March 20, 2013

Resol

From: George E. Allen

Phone Ext. 371

(Department Head - please type)

Meeting Date Requested:

April 9, 2013

Department Head Signature

[Handwritten Signature]

Agenda Title:

The Reed Leasing Group, LLC-Public Hearing for a Certificate of Merger & abandonment of a 10' wide P.U.E.

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

The subject agenda item is a Public Hearing for a Certificate of Merger and an abandonment of a ten foot (10') wide public utility easement. The property is located on the northerly side of Jackson Valley Road, approximately one-half mile from the westerly junction with State Highway 88, in the Jackson Valley area. APN: 05-230-016 and 05-230-007.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required?

Yes No

Contract Attached: Yes No N/A
 Resolution Attached: Yes No N/A
 Ordinance Attached: Yes No N/A

Committee Review?

N/A

Name

Committee Recommendation:

Comments:

Request Reviewed by:

Chairman *[Signature]*

Counsel _____

Auditor *[Signature]*

GSA Director *[Signature]*

CAO *[Signature]*

Risk Management *[Signature]*

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

Please transmit two copies of each resolution to Surveying; one set certified.

FOR CLERK USE ONLY

Meeting Date

April 9, 2013

Time

9 a.m.

Item #

11

Board Action: Approved Yes No Unanimous Vote: Yes No

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Distributed on

Completed by

A new ATF is required from

Department

For meeting

of

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.

ATTEST: _____

Clerk or Deputy Board Clerk

Requested by:
BOARD OF SUPERVISORS
Return to:
SURVEYING & ENGINEERING

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF

RESOLUTION APPROVING ABANDONMENT)
OF A PUBLIC UTILITY EASEMENT FOR) RESOLUTION NO. 2013-xxxx
THE REED LEASING GROUP, LLC, A CALIFORNIA)
LIMITED LIABILITY COMPANY)

BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that said Board does hereby approve the abandonment of a ten foot (10') wide public utility easement for The Reed Leasing Group, LLC, A California Limited Liability Company, as attached description in Exhibit "A".

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 9th day of April, 2013, by the following vote:

AYES: Richard M. Forster, Theodore F. Novelli,
Brian Oneto, John Plasse, and Louis D. Boitano

NOES: None

ABSENT: None

Chairman, Board of Supervisors



SURVEYING DEPARTMENT

COUNTY ADMINISTRATION CENTER

810 Court Street

Jackson, CA 95642-2132

Telephone: (209) 223-6371

March 20, 2013

AFFIDAVIT OF POSTING

Subject: Abandonment of a Public Utility Easement and Certificate of Merger – The Reed Leasing Group, LLC

We have posted five copies of the attached Public Hearing Notice.

Sincerely,

George E. Allen
County Surveyor

c.c. Files

GEA/kg



NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Supervisors of the County of Amador, State of California, has received a request for an abandonment of a ten foot (10') wide public utility easement and a Certificate of Merger from The Reed Leasing Group, LLC, a California Limited Liability Company. The merger consists of merging Parcel 1 as shown and delineated on the map "Parcel Map No. 2071 for Norman D. Borth, et. ux.," and recorded in Book 38 of Maps and Plats, at pages 73 and 74; and Parcel "B", as shown and delineated on the map "Record of Survey Bamert Property", and recorded in Book 12 of Maps and Plats, at 43, all in the Records of Amador County. The abandonment of the ten foot (10") wide public utility easement is coincident and westerly of the line common with said Parcel 1 and Parcel B. The Property is located on the northerly side of Jackson Valley Road, approximately one-half mile from the westerly junction with State Highway 88, in the Jackson Valley area.

A Public Hearing to consider said abandonment and Certificate of Merger will be held at the County Administration Building, 810 Court Street, Jackson, California 95642, on April 9, 2013, at 10:30 a.m., or as soon thereafter as the matter may be heard, at which time any and all interested persons may come and be heard thereon.

If you have any questions, or desire further information, please contact Surveying & Engineering (209) 223-6371.

*Set 6 FLIERS ON NORTH SIDE OF Road
at locations MARKED X*

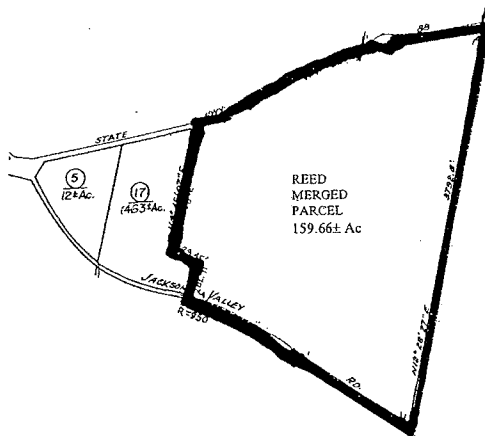
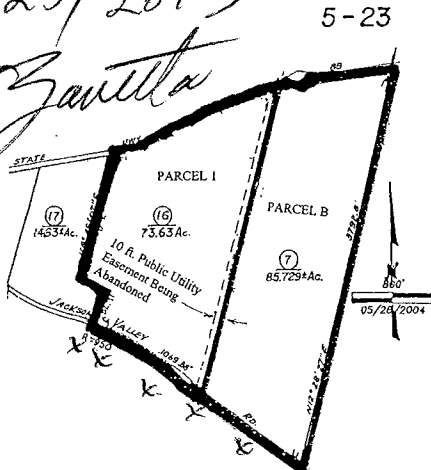
3/25/2013

S. Zavatta

5-23

REED EASEMENT ABANDONMENT

REED MERGER



BEFORE

AFTER


**PUBLIC UTILITY EASEMENT
ABANDONMENT
LEGAL DESCRIPTION
APN: 005-230-016**

All that certain piece or parcel of land situate in the County of Amador, State of California, lying within a portion of the "Rancho Arroyo Seco", described as follows:

ALL that certain Public Utility Easement lying adjacent to and abutting the East line of Parcel 1 as shown and delineated on Parcel Map No. 2071 for Norman D. Borth, et ux, filed in the Office of the County Recorder of Amador County on October 24, 1984 in Book 38 of Maps and Plats, at Page 73.

THE HEREIN ABOVE PUBLIC UTILITY EASEMENT SHALL HEREINAFTER BE CONSIDERED ABANDONED.





Dave Skidmore, L.S. 7126
2/11/13

Requested By:
BOARD OF SUPERVISORS
When recorded return to:
SURVEYING & ENGINEERING

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION ISSUING CERTIFICATE)
OF MERGER TO THE REED LEASING GROUP, LLC,) RESOLUTION NO. 2013-XXXX
A CALIFORNIA LIMITED LIABILITY COMPANY)

BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that pursuant to Amador County Code No. 17.95.040 a certificate of merger be approved and hereby is issued to The Reed Leasing Group, LLC, A California Limited Liability Company, for the parcel described in the certificate of merger; and

BE IT FURTHER RESOLVED that the Clerk of said Board be and hereby is directed to record this resolution and certificate of merger.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 9th day of April, 2013, by the following vote:

AYES: Richard M. Forster, Theodore F. Novelli,
Brian Oneto, John Plasse, and Louis D. Boitano

NOES: None

ABSENT: None

Chairman, Board of Supervisors

ATTEST

JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

Requested by:
BOARD OF SUPERVISORS
Return to:
SURVEYING & ENGINEERING

Notary Public
In and for the State of California
My Commission Expires on 01/01/2011

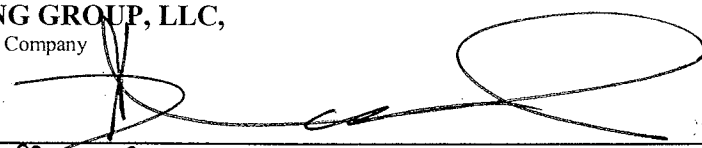
CERTIFICATE OF MERGER

I, /WE, the undersigned owner(s) of record, hereby declare our intention to merge said real property, heretofore known and described as follows:

ALL THOSE PARCELS OF LAND SITUATED IN THE COUNTY OF AMADOR, STATE OF CALIFORNIA, BEING: PARCEL 1 AS SHOWN AND DELINEATED ON PARCEL MAP NO. 2071 FOR NORMAN D. BORTH, ET UX, FILED IN THE OFFICE OF THE AMADOR COUNTY RECORDER ON OCTOBER 24, 1984 IN BOOK 38 OF MAPS AND PLATS, AT PAGE 73; AND, PARCEL B, AS SHOWN ON THAT CERTAIN "RECORD OF SURVEY BAMERT PROPERTY" LOCATED IN RANCHO ARROYO SECO, ACCORDING TO THE OFFICIAL MAP THEREOF FILED FOR RECORD JANUARY 4, 1966 IN BOOK 12 OF MAPS AND PLATS, PAGE 43, AMADOR COUNTY RECORDS.

Said land to be known hereafter as follows: (SEE DESCRIPTION ATTACHED)

THE REED LEASING GROUP, LLC,
A California Limited Liability Company

Owner(s) Signature: 
Print (name/title) Jeffrey Reed, Managing Member

Owner(s) Signature _____
Print (name/title) _____

STATE OF CALIFORNIA)
) SS.
COUNTY OF _____)

On _____ before me, _____, Notary Public, personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature _____ (seal)

See Attached

ACKNOWLEDGMENT

State of California
County of Stanislaus

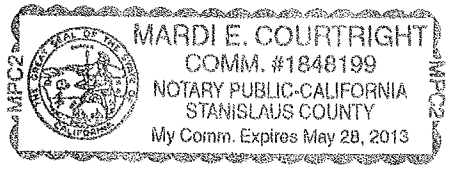
On January 21, 2013 before me, Mardi E Courtright
(insert name and title of the officer)

personally appeared Jeffrey R. Reed
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~
subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in
~~his/her/their~~ authorized capacity~~(ies)~~, and that by ~~his/her/their~~ signature~~(s)~~ on the instrument the
person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

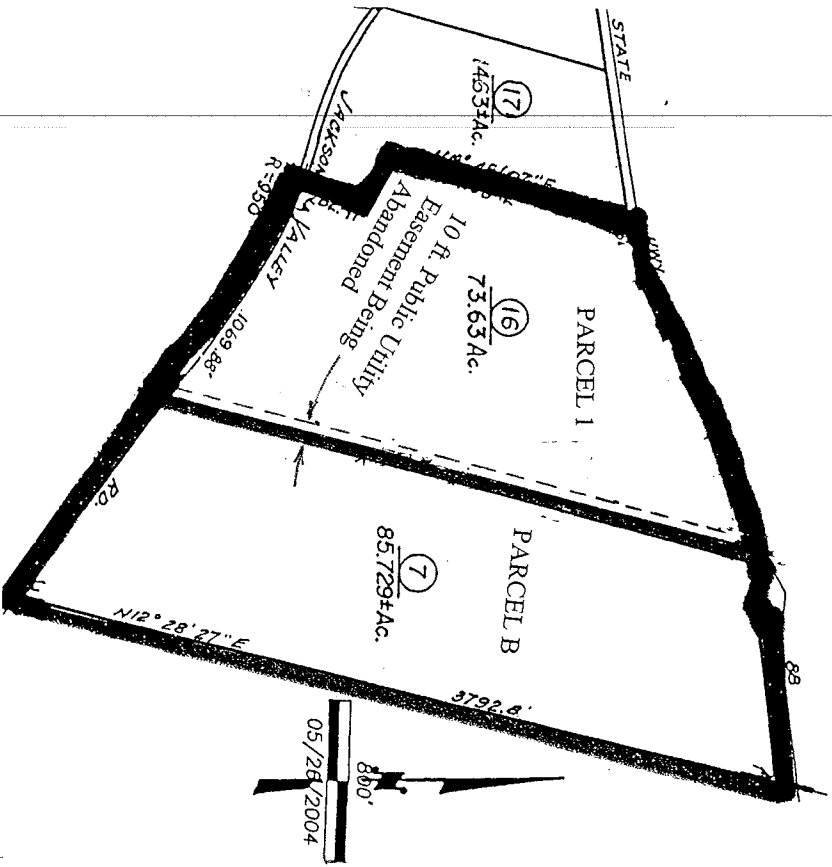
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Mardi E. Courtright (Seal)

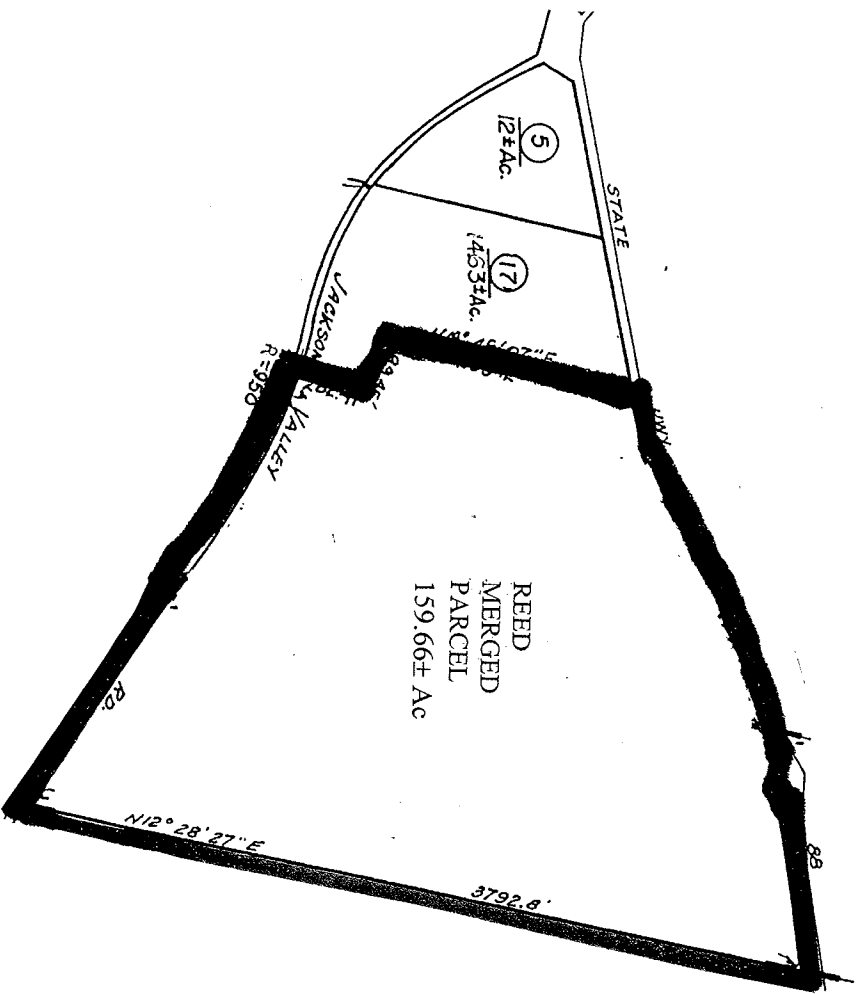


5-23



REED EASEMENT ABANDONMENT

REED MERGER



BEFORE

AFTER