

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.4
(ID # 6105)

MEETING DATE:

Tuesday, January 9, 2018

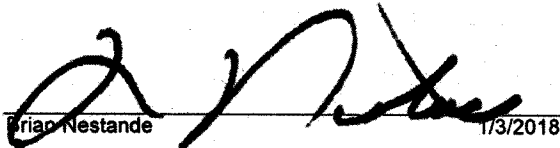
FROM : EXECUTIVE OFFICE:

SUBJECT: EXECUTIVE OFFICE: Board Policy Manual Update - Revisions to A-27: Legislation Coordination, All Districts. [\$0] (Companion Item to MT 6057)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the amendments to Board Policy A-27: Legislation Coordination.

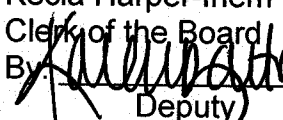
ACTION: Policy


Brian Nestande 1/3/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Tavaglione and duly carried, IT WAS ORDERED that the above matter is approved as recommended with the revision that the Legislative Platform is for a 2 year term.

Ayes: Jeffries, Tavaglione, Washington and Perez
Nays: None
Absent: Ashley
Date: January 9, 2018
xc: EO

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year	Next Fiscal Year	Total Cost	Ongoing Cost
COST				
NET COUNTY COST				
SOURCE OF FUNDS:			Budget Adjustment: No	
			For Fiscal Year:	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Board Policy Manual is a guide for departments on matters that are not otherwise addressed in state codes, county ordinances, and resolutions by the Board of Supervisors.

Revisions to Board Policy A-27: Legislation Coordination is requested to clarify the validity of positions stated in previous platforms.

Amendments to the policy include:

1. **Legislative Platform Four-Year Term**: The Legislative Platform will serve as the official policy/agenda for a term of four years. Commencing with the new four-year gubernatorial term. A yearly evaluation will be done during the current term for any necessary updates, and or changes.
2. **Introduction of Platform**: The Legislative Platform will be presented to the Board of Supervisors in January of each year, and will no longer be presented on or before January 1. The change in date is due to the limited Board meetings during the holiday season.
3. **County Position on Pending Legislation**: The Executive Office will make a recommendation to the Board of Supervisors based on the Legislative Regulatory Platform. If a policy position does not exist, the Executive Office will prepare the policy item (Form -11) for placement on the Board's agenda. In which the Board of Supervisors will then take formal action.

Impact on Residents and Businesses

The policy update provides clarification on county legislation coordination policy and ensures that the county is adhering to the most current standards while further increasing transparency and accountability to county constituents.

ATTACHMENT A. Redline - Board Policy A-27

ATTACHMENT B. Clean - Board Policy A-27

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject:

Policy
Number Page

LEGISLATION COORDINATION

A-27 1 of 4

Policy:

The purpose of Riverside County's Legislative Program is to secure legislation which benefits the County and its residents, and to oppose/amend legislation which might adversely affect the County. Recognizing the need for consistency in conveying official positions on legislative matters, the County has instituted a coordinated process involving interaction between the Board of Supervisors, the County Executive Office, County Agencies/Departments, and the County's Legislative Advocates in Sacramento and Washington, D.C.

The following specific procedures are instituted in order to facilitate active participation by Departments, allow the Executive Office to act as a centralized "clearinghouse" for legislative matters, and to ensure that all advocacy efforts are entirely consistent with Board-approved positions:

A. LEGISLATIVE/REGULATORY PLATFORM

The purpose of the County's Annual Legislative/Regulatory Platform is to identify and secure Board approval of specific State legislative proposals pursued during the upcoming year and to guide advocacy efforts by the County's Legislative Advocates, the Executive Office, and County Agencies and Departments.

The following process is used to develop the County's State Legislative/Regulatory Platform:

1. The Legislative Platform serves as the official policy/agenda for a term of two years. The new platform will commence with the new two-year Legislative term. A yearly evaluation will be done during the current term for any necessary updates, and or changes.
2. Every Fall, the County Executive Officer will solicit proposals for County-sponsored legislation from all departments. After review, proposals which would improve or assist county operations are included in the recommended Legislative/Regulatory Platform.
3. In January of each year, the County Executive Office shall present the Legislative/Regulatory Platform to the Board of Supervisors for consideration. Once adopted, the Platform shall be the official policy/legislative agenda for the next two years. The Platform serves as a tool for focusing on and achieving the County's primary legislative goals, as well as a reference for evaluating similar legislation under consideration at the State/Federal levels.

B. PENDING LEGISLATION

Staff shall advise the Board of Supervisors of pending legislation which may have a significant impact on the County. The process for obtaining a County position on pending legislation is as follows:

1. County Departments are responsible for monitoring legislation in their specific areas and bringing bills which have a potential major impact on the County to the attention of the County Executive Office by submitting an analysis.
2. The Executive Office will review the Department's analysis. If the Executive Office is not in concurrence with the Department recommendation, or if the bill potentially affects more than one department, the Executive Office will work to achieve a consensus position among the departments involved.

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject:

Policy
Number Page

LEGISLATION COORDINATION

A-27 2 of 4

3. After review of the Departmental recommendations and the pending legislation, the Executive Office will make one of the following determinations:
 - a. A Policy Position Exists and Is referenced In:
 - (i) **The Legislative/Regulatory Platform**. The policy issue related to the pending legislation is included in and consistent with the current two-year term of the Legislative/Regulatory Platform.
 - b. A Policy Position Does Not Exist, and therefore:
 - (i) **Formal Board Action Is Required**. A policy regarding the pending legislation does not exist and; therefore, requires formal action by the Board of Supervisors. The Executive Office will prepare the policy item (Form-11) for placement on the Board's agenda.
 - (ii) **Action can be taken by the County Legislative Ad Hoc Committee**. A policy regarding the pending legislation does not exist (or if there is not consensus among affected departments regarding a recommended position), and the pending legislation is of critical importance and requires immediate action which cannot be facilitated through the formal action process because; the Board is not in session or because there is insufficient time for the item to be brought to the attention of the full board for discussion, and, therefore, can be brought to the attention of the Legislative Ad Hoc Committee comprised of the Board Chair and Vice Chair for immediate action. The Ad Hoc Committee would act on legislation, per the request of the Executive Office, in the form of a letter of support or opposition signed by the Chair and Vice Chair. The Executive Office is then directed to bring the item to the next Board meeting for Board consent.

The County Executive Office will maintain a file which tracks the progress of bills in which the Board of Supervisors has adopted a formal position.

C. LEGISLATIVE ADVOCACY

It is the primary responsibility of the County's Legislative Advocates, the Executive Office, and Department/Agency Heads to advance the official County position as bills progress through the legislative process. Such advocacy may include direct interaction with members of the Legislature and their staff, Committees, and local or regional governmental decision-making bodies (e.g., city councils, CSAC, WRCOG, SCAG, etc.). County staff may assist with such advocacy efforts when an official County position has been established either by a Minute Order, the adoption of a Resolution, or a letter signed by the Chairman or Vice-Chairman on behalf of the Board.

The following procedures address appropriate advocacy activities.

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject:

Policy
Number Page

LEGISLATION COORDINATION

A-27 3 of 4

1. Testimony

- a. Appropriate County staff shall be authorized to advocate before the Legislature and their staff, committees, and local or regional governmental decision-making bodies on policies consistent with the Board of Supervisors formal action. Proposed testimony and related materials shall be filed, in advance when feasible, with the Executive Office.
- b. Advocacy efforts involving policy issues not formally adopted by the Board of Supervisors shall receive prior authorization by the Board of Supervisors. Under compelling circumstances, the Chairman of the Board and/or Executive Officer shall be authorized to approve interim testimony which is crucial to the County. This interim testimony shall be consistent with general County policies. Preparation of such testimony and materials shall be coordinated with the Executive Office.
- c. Testimony of a non-policy nature (i.e., information of a technical or factual nature) may be presented without prior specific Board authorization. Proposed testimony and related material shall be filed, in advance when feasible, with the Executive Office.
- d. The Executive Office shall coordinate with the County's Legislative Representatives the scheduling of presentations before Legislators, staff members, and Committees.

2. Written Correspondence

- a. Written correspondence on behalf of the County to elected officials at the federal, State, or local level should be transmitted over the signature of the Board of Supervisors, when feasible.
- b. This does not apply to correspondence initiated on behalf of the County by the County's Legislative Advocates. Finalized copies of written correspondence shall be provided to the Executive Office by the originating Department concurrent with its mailing.
- c. County Departments, including members of the Board of Supervisors, may originate and transmit letters in support or in opposition to pending legislation if that correspondence represents a position that is consistent with an adopted County position or is based on the County's Legislative Platform. Copies of written correspondence shall be provided by the originating department to the Executive Office along with reference to the Board's position concurrent with its mailing. The Executive Office shall include a copy of the written correspondence that is not based on a specific Board vote as a consent item on the next Board agenda. This includes any correspondence in support or opposition based on the County's Legislative Platform or the County's Legislative Ad Hoc Committee.
- d. Any written correspondence in opposition or support for legislation sent to state or federal legislators that resulted from a direct vote by the Board of Supervisors shall indicate the Board action in the written correspondence.
- e. Any written correspondence to the Administrations and/or the State Legislature/Congress shall include the date version of the bill.

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject:

Policy
Number Page

LEGISLATION COORDINATION

A-27 4 of 4

- f. Written correspondence of a non-policy nature (i.e., information of a technical or factual nature) may be advanced without prior specific Board authorization when a copy of such correspondence is provided to the Executive Office concurrent with its mailing.
- g. No Department shall take any action that would imply the County's support or opposition to any pending legislation and/or regulation in the absence of or inconsistent with an adopted Board position.

D. LEGISLATIVE RESOURCES

The Executive Office shall have on file and available to all Departments, as needed, the following resources:

- 1. A complete State Bill service to include:
 - a. Copies of all Bills and Amendments
 - b. Daily Journals
 - c. Daily and Weekly Histories
 - d. Daily Legislative Indexes and Tables affected
 - e. Committee analyses, when available
- 2. A digest of Federal bills and resolutions which may affect Riverside County.
- 3. All legislative items on which the Board of Supervisors has adopted an official position.
- 4. Copies of Legislative Bulletins (i.e., CSAC, NACO, UCC, League of Cities) highlighting legislation affecting counties.

E. LEGISLATIVE REPORTS TO THE BOARD

- 1. The County's Legislative Advocates shall provide to the Board, not less than monthly, reports on the progress of County-sponsored legislation and issues at the forefront of discussion at State/Federal levels that may have a fiscal and/or operational impact on the County. Included in the reports shall be known formal positions of notable associations/organizations of elected County department heads.
- 2. The Executive Office shall provide quarterly reports to the Board on the status of legislation for which the Board has formal adopted positions. Included in the reports shall be known formal positions of County affiliated organizations (e.g., organizations of which County department head(s) are members).

Reference:

Minute Order dated 11/23/1976 (Rescinded 06/12/1984)
Minute Order dated 06/12/1984 (Rescinded 09/24/1984)
Minute Order dated 09/24/1984 (Rescinded)
Minute Order 3.12 of 12/20/1994 (Rescinded)
Minute Order 3.4 of 01/06/1998
Minute Order 3.7 of 11/07/2006
Minute Order 3.28 of 04/18/2017
Minute Order 3.11 of 05/23/2017
Minute Order 3.4 of 01/09/2018

**COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject:

LEGISLATION COORDINATION

Policy Number	Page
A-27	1 of 4

Policy:

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2. Every Fall, the County Executive Officer will solicit proposals for County-sponsored legislation from all departments. After review, proposals which would improve or assist county operations are included in the recommended Legislative/Regulatory Platform.

1. —

2. In On or before January 1, — of each year, the County Executive Office shall present the Legislative/Regulatory Platform to the Board of Supervisors for consideration. Once adopted, the Platform shall be the official policy/legislative agenda for the next four years, upcoming year. The Platform serves as a tool for focusing on and achieving the County's primary

3. legislative goals, as well as a reference for evaluating similar legislation under consideration at the State/Federal levels.

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**COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject:

Policy
Number Page

LEGISLATION COORDINATION

A-27 2 of 4

3. After review of the Departmental recommendations and the pending legislation, the Executive Office will make one of the following determinations:

a. ~~A Policy Position Exists and Is Referenced In:~~

a. A Prior Position on Pending Legislation. ~~The Departmental recommendation is consistent with a position previously adopted by the Board of Supervisors in the current or immediately preceding biennial session of the State Legislature.~~

(i) The Legislative/Regulatory Platform. The policy issue related to the pending legislation is included in and consistent with the current four-year term of the Legislative/Regulatory Platform.

~~**A Board Approved Policy.** The policy issue related to the pending legislation is consistent with a policy statement previously adopted by the Board.~~ For example, the Growth Management Legislative Policy, Worker's Compensation Reform Policy, 1994 Restructuring Policy Guidelines, etc.

b. A Policy Position Does Not Exist, and therefore:

Formal Board Action Is Required. A policy regarding the pending legislation does not exist (or if there is not consensus among affected departments regarding a recommended position) and, therefore, requires formal action by the Board of Supervisors. ~~Either the~~ **The Executive Office or the Department/Agency may will** prepare the policy item (Form-11) for placement on the Board's agenda.

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**COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject:

LEGISLATION COORDINATION

Policy Number	Page
A-27	3 of 4

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**COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject:

Policy
Number Page

LEGISLATION COORDINATION

A-27 4 of 4

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