



**RESOURCE
MANAGEMENT AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

CONNIE CONWAY
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: April 1, 2008 - **REVISED**

Public Hearing Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>			

CONTACT PERSON: Celeste Perez PHONE: 559-733-6291

SUBJECT: State the proposed projects and open public comment periods for Safety Net Title III Funding

REQUEST(S):

That the Board of Supervisors:

1. Direct the Resource Management Agency to publish notices of a public comment period terminating not less than 45-days after the first date of publication, and return to the Board of Supervisors with a report and recommendation for final action following the expiration of the 45-day period.
2. Open the 45-day public comment period for the expenditure of the fiscal year 2006/2007 and 2007/2008 HR2389 Title III, Safety Net funds: \$289,503 to reimburse the allowable project of Sheriff's Department Search and Rescue and other emergency services on Federal lands; \$10,000 to reimburse the allowable project of Tulare County Office of Education (TCOE) Clemmie Gill School of Science and Conservation (SCICON) that was approved in 2003/2004 but not completed; add an additional \$10,000 to reimburse the allowable project of SCICON and any unspent balance to be placed in the Trust fund cash account number 516-2360 to roll over to fiscal year 2008/2009 for use on approved projects.

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SUMMARY:

The County of Tulare receives Forest Reserve payments from the Federal government for schools and roads. The federal land policies have shifted away from multiple use land management in the national forests, resulting in a reduction of income from forest related activities. Congress recognized the policy shift was having a negative impact on local communities so they passed HR 2389 which makes provisions for Safety Net payments to the forested counties for up to six years with 15% to 20% of these funds being allocated to Title II or Title III projects. Your Board elected to receive the Safety Net payments under the provisions of HR 2389, and designated 15% to Title III projects in Resolution No. 2001-0108.

Authorized uses for Title III projects include:

Search, Rescue and Emergency Services - An eligible County or applicable Sheriff's Department may use these funds as reimbursement for search and rescue and other emergency services, including fire fighting, performed on Federal lands and paid for by the County.

Community Service Work Camps - An eligible County may use these funds as reimbursement for all or part of the costs incurred by the County to pay the salaries and benefits of County employees who supervise adults or juveniles performing mandatory community service on Federal lands.

Easement purchases - An eligible County may use these funds to acquire easements, on a willing seller basis, to provide for nonmotorized access to public lands for hunting, fishing, and other recreational purposes; conservation easements; or both.

Forest related educational opportunities - A County may use these funds to establish and conduct forest-related after school programs.

Fire prevention and County planning - A County may use these funds for efforts to educate homeowners in fire-sensitive ecosystems about the consequences of wildfires and techniques in home siting, home construction and home landscaping that can increase the protection of people and property from wildfires; and planning efforts to reduce or mitigate the impact of development on adjacent Federal lands and to increase the protection of people and property from wildfires.

Community forestry - A County may use these funds towards non-Federal cost-share requirements of Section 9 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2105).

Funds shall be available for expenditure by the County and shall remain available

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until expended in accordance with Title III. Title III projects approved by the County must be published in the local paper of record and opened for a 45-day public comment period.

The Resource Management Agency previously identified the Sheriff's Department Search and Rescue and emergency services performed on Federal lands as authorized expenses. In HR2389 Federal land is defined as lands within the National Forest System.

In fiscal year 2003/2004 the amount of \$10,000 was designated to be paid to reimburse qualifying programs at SCICON. The \$10,000 for SCICON was approved in 2003/2004, but the TCOE provided the invoice and proposed project information after the close of the fiscal year. The Sheriff's Department, along with RMA staff, recommends increasing the amount from \$10,000 to \$20,000 for SCICON. SCICON would still like to do the proposed qualifying project of improvements to their facility.

The Trust Fund 516-2360 is a holding place for later distribution to Department accounts. These Trust Fund accounts do not have recognized revenues and expenses, thus were not able to pay TCOE for SCICON projects, and the projects were not done. The funds will be moved into the RMA Parks budget for the reimbursement of allowable SCICON projects when they are completed.

The Fire Department in fiscal year 2001/2002 had allowable expenses of \$522, in 2002/2003 there were \$944 of allowable expenses. The majority of expenses the Fire Department incurs on Federal lands as defined in the act is reimbursed by other existing Memoranda of Understanding with the Federal Government. As these expenses are already reimbursed they do not qualify for additional reimbursement.

FISCAL IMPACT/FINANCING:

Title III funds are in Trust Fund Account 516-2360 and has a carryover balance of \$299,307 from prior years. In Fiscal Year 07/08 and additional \$168,104 was received from the Federal government. The Total Title III funds available would be \$467,411. We are requesting:

\$289,503 be placed in the Sheriff's Department Search and Rescue and emergency services performed on Federal lands budget line number 001-240-2150-5675;

\$20,000 to be expended on reimbursement for qualifying programs at SCICON;

And any unspent balance to be placed in the Trust Fund Cash Account number 516-2360 to roll over to fiscal year 2008/2009 for use on approved projects.

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These changes would direct the Title III funds where there are allowable expenses.

After the close of the 45-day public comment period, we will return with a request for the project approval and the associated budget adjustments. There is no net County cost.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

These recommendations link well with Strategic Initiatives 1 and 3 by improving the County's ability to provide for public safety and by providing exciting educational opportunities.

ALTERNATIVES:

1. Spend the funds on other qualifying Title III projects.
2. Roll the funds forward to spend on a future qualifying project.
3. Return the funds to the United States Treasury.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

After the close of the 45-day public comment period and the project approval the Resource Management Agency would work with the County Administrative Office, the Sheriff's Department, and the TCOE to identify and document allowable expenses, and to include these changes in the 2007/2008 budget.

ADMINISTRATIVE SIGN-OFF:



Hal Cypert, Assistant Director
Support Services



Henry Hash, Director

cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment(s)

BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF STATE THE PROPOSED)
PROJECTS AND OPEN PUBLIC COMMENT) **RESOLUTION NO.** _____
PERIODS FOR SAFETY NET TITLE III FUNDING) **AGREEMENT NO.** _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD APRIL 1, 2008, BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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1. Directed the Resource Management Agency to publish notices of a public comment period terminating not less than 45-days after the first date of publication, and return to the Board of Supervisors with a report and recommendation for final action following the expiration of the 45-day period.
2. Opened the 45-day public comment period for the expenditure of the fiscal year 2006/2007 and 2007/2008 HR2389 Title III, Safety Net funds: \$289,503 to reimburse the allowable project of Sheriff's Department Search and Rescue and other emergency services on Federal lands; \$10,000 to reimburse the allowable project of Tulare County Office of Education (TCOE) Clemmie Gill School of Science and Conservation (SCICON) that was approved in 2003/2004 but not completed; add an additional \$10,000 to reimburse the allowable project of SCICON and any unspent balance to be placed in the Trust fund cash account number 516-2360 to roll over to fiscal year 2008/2009 for use on approved projects.