

2019 LEGISLATIVE PROPOSAL

Solano County, General Services

Title: Office of the State Fire Marshal (OSFM), Fire and Life Safety Division, plan review resource augmentation.

Current (State and/or Federal) Law: Unknown State law or OSFM policy

Problem Statement: Demand for timely construction plan review exceeds OSFM staff capacity, resulting in costly delay to State-funded building projects.

Proposed Solution: OSFM shall delegate construction plan review authority to a designated third-party inspection agency or to the Division of the State Architect or to the local Building Official when OSFM staff is otherwise unable to complete plan review in time to avoid critical project schedule delay.

Proposed Effective / Operative Date of Solution: ASAP

Justification: Currently, the inability of OSFM to provide timely construction plan review comments and final approval of construction projects results in thousands to millions of dollars annually in unnecessary delay to State-funded building projects.

Implementation: Via OSFM contract with authorized on-call third party inspection agency and/or delegated authority to the Division of the State Architect or to the local Building Official. (County or agency requesting OSFM plan review shall indicate, in good faith, the latest date by which review comments and/or final approval must be received from OSFM to avoid critical project delay. OSFM shall make a good faith commitment to return review comments and approvals within the requested period, allowing for stipulated minimum review time, and shall otherwise delegate review and approval authority to a designated third party inspection agency, to the Division of the State Architect, or to the local Building Official in instances in which OSFM reasonably foresees that it is unable to respond within the critical timeframe. Standard review time allowances by project type and/or size shall be published by the OSFM for general guidance to submitting agencies. Multiple plan review periods may be required by OSFM or its authorized plan review agency for instances in which plan review comments are not adequately addressed by the submitting party).

Fiscal Impact:

County: Saves thousands to millions of dollars annually in avoidable delay to State-funded building projects.

2019 LEGISLATIVE PROPOSAL

Solano County, Resource Management Department

Title: Cache Slough Complex Management Plan (CSCMP)

Current (State and/or Federal) Law: N/A

Problem Statement: The Cache Slough Complex in Solano County is a productive agricultural region highly coveted by the state for its potential for conversion to tidal habitat and, as part of the lower Yolo Bypass, for flood risk reduction. Conversion of agriculture to other uses results in loss of productive land, affects ag lands remaining in the region and creates other negative economic consequences. Land use conflicts are numerous and complex. Lands are being acquired with little attention to direct, indirect and cumulative impacts to the region, and create conflicts among land uses.

Proposed Solution: A Cache Slough Management Plan (CSCMP) would create a structure by which existing and proposed land uses in the geographic region are addressed together at the landscape and project scales. Development of a plan that is protective of agriculture while comprehensively planning for land use changes desired by the state, reduces conflict and allows for the necessary multi-objective approach. The process would include a multi-agency governance structure, plan development, environmental review, implementation and regulatory oversight. The County is currently engaged in planning efforts in the larger Yolo Bypass/Cache Slough region; the CSCMP is consistent with and would enhance those efforts.

Proposed Effective / Operative Date of Solution: The CSCMP would take no more than 5 years to complete. Habitat and flood-related projects are ongoing in the region and so would not create delay for the state in obtaining its objectives.

Justification: The state is in the process of developing significant acreages of tidal and other habitat in Solano County. This creates conflict among land uses, the project-by-project focus lacks clarity, resulting in reduced function and value of both agricultural and ecosystem functions, as well as other economic consequences. A more comprehensive approach is warranted.

Implementation: Multi-agency, multi-objective collaborative structure for planning and implementation.

Fiscal Impact: Financing would be required to develop and implement CSCMP. Funding could be made available through existing bond programs.

County: Solano County (Yolo County)

State/Federal: Plan would be multi-jurisdictional and multi-objective in nature

Other States:

2019 LEGISLATIVE PROPOSAL

Solano County General Services Department/County Counsel

Title: Liens on Aircraft

Current (State and/or Federal) Law: Cal. Code of Civil Procedure § 1208.65 et seq.

Problem Statement: Anyone who repairs, stores, or furnishes supplies or materials for an aircraft, including reasonable charges for the use of any landing aids furnished, is entitled to a possessory lien on that aircraft under Cal. Code of Civil Procedure (CCP) §1208.61. In 1980, the lien sale provisions of the aircraft lien laws (specifically CCP §1208.65 et seq.) were declared unconstitutional but the statutes were never amended to address the constitutionality issue. (See Martin v. Heady (1980) 103 Cal. App. 3d 580.)

Proposed Solution: Amend CCP §1208.65 et seq. to provide procedural due process prior to sale of aircraft due to unpaid storage fees.

Proposed Effective / Operative Date of Solution: January 1, 2019

Justification: For those that repair aircraft, there is a provision under Business & Professions Code §9790 et seq. that allows for a lien, and subsequent perfection of the lien and sale of an aircraft, to recover any unpaid balance for the repair services but such provision is not applicable for costs incurred for the mere storage of an aircraft. Therefore, should an aircraft be parked at a public airport without payment of rental fees, the County is entitled to lien the aircraft but there is no mechanism to perfect the lien and sell the aircraft to recoup the costs of storing the aircraft.

Implementation: Implementation would be on a case by case basis to recover the unpaid costs for storing aircraft.

Fiscal Impact: Unpaid costs for storage of aircraft would be recouped by public airports.

County: N/A

State/Federal: N/A

Other States: