

Memorandum 2019-36

**Statutes Made Obsolete by Trial Court Restructuring (Part 6):
Court Facilities (Comments on Tentative Recommendation)**

Earlier this year, the Commission approved a tentative recommendation in this study. See Tentative Recommendation on *Statutes Made Obsolete by Trial Court Restructuring (Part 6): Court Facilities* (Feb. 2019) (hereafter, “Court Facilities TR”).¹

The tentative recommendation has since been widely circulated for comment. In addition to sending it to the traditional and electronic mailing lists for this study, the staff took various other steps to ensure that it reached potentially affected parties. Among other things, for each of the many county-specific reforms in the proposal, we sent individualized communications to representatives of the affected county and the local superior court, alerting them to the proposed reform and providing instructions on how to comment. All other superior courts and counties were also notified of the tentative recommendation.

The Commission received the following comments on the tentative recommendation:

	<i>Exhibit p.</i>
• David Brodie, Chief Deputy County Counsel for San Diego County (4/16/19)	1
• Robert Burns, County Counsel for Lassen County (4/10/19)	2
• Sheri Carter, Executive Officer/Clerk of Court for Los Angeles County Superior Court (5/1/19)	3
• Nancy Eberhardt, Court Executive Officer for San Bernardino County Superior Court (4/29/19)	4
• Charles Martel, Supervising Attorney, Legal Services/Leadership Services Division, Judicial Council (4/30/19)	7
• Philip Pogledich, County Counsel for Yolo County (4/12/19)	8

1. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission’s website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission’s staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

The comments are discussed below.

Because most of the comments were supportive or neutral in nature, the staff prepared a draft of a final recommendation, which is attached after the comments. It is closely similar to the tentative recommendation. The staff made routine changes to convert a tentative recommendation to a final recommendation (including removal of Notes and other text soliciting comments on specific issues). We also deleted some statutory provisions that the Commission did not propose to change. Aside from changes like those, the staff made only a few revisions, which are described in the discussion of the comments below.

Unless otherwise noted, all further statutory references in this memorandum are to the Government Code.

COMMENTS SUPPORTING ALL OR PART OF THE TENTATIVE RECOMMENDATION
OR TAKING A NEUTRAL STANCE

Much of the input on the tentative recommendation was favorable or neutral. For example, David Brodie from the San Diego Office of the County Counsel wrote: “Our office supports the Commission’s recommendation to repeal Gov’t Code § 73956.”² Similarly, Nancy Eberhardt, the Court Executive Officer for San Bernardino Superior Court, said that her court “agrees with the revisions” specific to San Bernardino County.³ Philip Pogledich, the County Counsel for Yolo County, reported that “[w]e have reviewed the proposed changes that specifically affect Yolo County and have no comments or concerns.”⁴

On behalf of the Los Angeles County Superior Court, Sherri Carter (Court Executive Officer) wrote more but the bottom line is similar:

The Court has reviewed the recommendation in full. We have only one comment regarding the Commission’s recommendation to leave Government Code § 76219 unchanged. The Court agrees with this approach. Three of our courthouses, the Michael D. Antonovich Antelope Valley Courthouse, the Airport Courthouse, and the Chatsworth Courthouse, still have outstanding debt governed by Government Code § 76219; therefore, it is important that the statute remains intact at this time.

The Court does not have any comments on the Commission’s other recommendations outlined in the tentative recommendation.

2. Exhibit p. 1.
3. Exhibit p. 4.
4. Exhibit p. 8.

We appreciate the Commission's engagement on these issues and look forward to continuing to work with the Commission as it completes its work on the J-1405; Statutes Made Obsolete by Trial Court Restructuring study.⁵

The lack of input from many other stakeholders notified of the tentative recommendation suggests that they are also unconcerned about it. It is impossible to know whether that is because they did not take time to review the proposal, or because they reviewed the proposal and found it unobjectionable.

COMMENTS ON SECTION 76101.5

The tentative recommendation includes the following amendment of Section 76101.5:

§ 76101.5 (amended). Transfers between Courthouse Construction Fund and Criminal Justice Facilities Fund in county of 1st or 47th class

SEC. _____. Section 76101.5 of the Government Code is amended to read:

76101.5. Notwithstanding any other provision of this article or Article 3 (commencing with Section 76200), following a public hearing, the board of supervisors of a county of the first class ~~or a county of the 47th class which~~ that has established both a Courthouse Construction Fund and a Criminal Justice Facilities Construction Fund pursuant to the provisions of this chapter may by resolution provide for the transfer of deposits from one fund to the other.

Comment. Section 76101.5 is amended to reflect:

(1) The enactment of the Lockyer-Isenberg Trial Court Funding Act, 1997 Cal. Stat. ch. 850 (see generally Sections 77000-77655) and the related Trial Court Facilities Act, 2002 Cal. Stat. ch. 1082 (see generally Sections 70301-70508).

(2) The closure of the Courthouse Construction Fund for Lassen County.

The section is also amended to make a technical correction.

See Sections 28020 (Lassen County population is 14,960), 28068 (county with population of more than 14,600 and less than 15,000 is county of 47th class), 28085 (when new federal census is taken, county remains in old classification until reclassified by Legislature).

The preliminary part (narrative portion) of the tentative recommendation explains:

5. Exhibit p. 3.

Lassen and Los Angeles Counties. Section 76101.5 authorizes “a county of the first class or a county of the 47th class” (i.e., Los Angeles County or Lassen County) to transfer deposits from its Courthouse Construction Fund to its Criminal Justice Facilities Construction Fund and vice versa. Lassen County no longer has a Courthouse Construction Fund, so the Commission recommends amending this section to delete the reference to “a county of the 47th class.”⁶

The Commission’s conclusion that “Lassen County no longer has a Courthouse Construction Fund” was based on information in a document prepared by the Judicial Council.⁷ Robert Burns (Lassen County Counsel) reports, however, that this conclusion is incorrect:

[T]he tentative recommendation contemplates a statutory change which would eliminate Lassen’s Courthouse Construction Fund. The premise of the recommendation is that “Lassen County no longer has a Courthouse Construction Fund”

I have been assured by my elected Lassen County Auditor, Ms. Diana Wemple, that Lassen *does* have a Courthouse Construction Fund into which funds continue to be deposited. An inquiry has begun to determine the source of these funds and the legitimacy of their continued collection. In the meantime, May 1 (deadline for submission of comments) is coming soon and I wanted to report to you that it appears premature to make this statutory change until we know more.⁸

Similarly, Charles Martel (Supervising Attorney for the Judicial Council) says:

[N]otwithstanding the [Judicial Council document], it appears that Lassen County may still be holding funds in its Courthouse Construction Fund. The county and Judicial Council are currently discussing the transfer of those funds to the state pursuant to section 70402. Though the county’s ability to transfer funds from its Courthouse Construction Fund to its Criminal Justice Facilities Construction Fund pursuant to section 76101.5 is almost certainly not relevant to resolution of that issue, in light of those on-going discussions, it might be wise to briefly delay the proposed revision to section 76101.5 through a short sunset clause (the five year sunset clause proposed with respect to section 70624 on page 20 of the Tentative Recommendation seems too long to be used in this case).⁹

6. Court Facilities TR at 19 (footnotes omitted).

7. See Judicial Council of California, *Receipts and Expenditures from Local Courthouse Construction Funds: Report to the Budget and Fiscal Committees of the Legislature* (12/18/17), Attachment 12. A copy of this report is attached to the First Supplement to Memorandum 2018-31.

8. Exhibit p. 2 (emphasis in original).

9. Exhibit p. 7.

Given this input, it appears inappropriate to proceed at this time with the proposed amendment of Section 76101.5 in its current form. The simplest way of handling the matter (Option #1) would be to delete that amendment (and the corresponding discussion in the preliminary part) from the Commission's proposal. The Commission could revisit the matter later, after the issues relating to Lassen County's Courthouse Construction Fund have been resolved.

Alternatively, the Commission could use a sunset clause approach, as Mr. Martel suggests ("Option #2). Because Section 76101.5 pertains to both Lassen County and Los Angeles County, however, it would not be sufficient to add a sunset clause to the existing section. It would also be necessary to add a new version of Section 76101.5 to the codes, which would apply only to Los Angeles County and would become operative when the other version sunsets.

That could be accomplished by replacing the amendment in the tentative recommendation with the following:

§ 76101.5 (amended). Transfers between Courthouse Construction Fund and Criminal Justice Facilities Fund in county of 1st or 47th class

SEC. _____. Section 76101.5 of the Government Code is amended to read:

76101.5. (a) Notwithstanding any other provision of this article or Article 3 (commencing with Section 76200), following a public hearing, the board of supervisors of a county of the first class or a county of the 47th class which has established both a Courthouse Construction Fund and a Criminal Justice Facilities Construction Fund pursuant to the provisions of this chapter may by resolution provide for the transfer of deposits from one fund to the other.

(b) This section shall remain in effect only until [insert date], and as of that date is repealed, unless a later enacted statute, which becomes effective on or before [insert date], deletes or extends that date.

Comment. Section 76101.5 is amended to add a sunset clause, which is intended to afford time for resolution of issues relating to closure the Courthouse Construction Fund for Lassen County.

See Sections 28020 (Lassen County population is 14,960), 28068 (county with population of more than 14,600 and less than 15,000 is county of 47th class), 28085 (when new federal census is taken, county remains in old classification until reclassified by Legislature).

§ 76101.5 (added). Transfers between Courthouse Construction Fund and Criminal Justice Facilities Fund in county of 1st or 47th class

SEC. _____. Section 76101.5 is added to the Government Code to read:

76101.5. (a) Notwithstanding any other provision of this article or Article 3 (commencing with Section 76200), following a public hearing, the board of supervisors of a county of the first class that has established both a Courthouse Construction Fund and a Criminal Justice Facilities Construction Fund pursuant to the provisions of this chapter may by resolution provide for the transfer of deposits from one fund to the other.

(b) This section shall become operative on [insert date].

Comment. Section 76101.5, operative on [insert date], would apply only to Los Angeles County. See Sections 28020 (Los Angeles County population is 7,032,075), 28022 (county with population of 4,000,000 or more is county of 1st class), 28085 (when new federal census is taken, county remains in old classification until reclassified by Legislature).

Conforming revisions of the preliminary part would also be necessary.

Which approach would the Commission like to follow? Input on the relative merits of the two options would be helpful.

For the sake of simplicity, the staff implemented Option #1 in the attached draft. That choice is not intended as a recommendation; it does not reflect an evaluation of the relative merits of the two options.

AMENDMENT OF SECTION 70624

The tentative recommendation includes the following amendment of Section 70624:

§ 70624 (amended). Surcharge in San Bernardino County

SEC. _____. Section 70624 of the Government Code is amended to read:

70624. (a) In addition to the uniform filing fee authorized pursuant to Section 70611, 70612, 70613, 70614, 70650, 70651, 70652, 70653, 70655, or 70670, after giving notice and holding a public hearing on the proposal, the Board of Supervisors of San Bernardino County may impose a surcharge not to exceed thirty-five dollars (\$35) for the filing in superior court of (1) a complaint, petition, or other first paper in a civil, family, or probate action or special proceeding, and (2) a first paper on behalf of any defendant, respondent, intervenor, or adverse party. The county shall notify in writing the superior court and the Administrative Office of the

Courts of any change in a surcharge under this section. If a surcharge under this section is imposed on a filing fee, the distribution that would otherwise be made to the State Court Facilities Construction Fund under subdivision (c) of Section 68085.3 or subdivision (c) of Section 68085.4 shall be reduced as provided in Section 70603. This section shall apply to fees collected under Sections 70611, 70612, 70613, 70614, 70650, 70651, 70652, 70653, 70655, and 70670, beginning January 1, 2006.

(b) The surcharge shall be in an amount determined to be necessary by the board of supervisors to supplement the Courthouse Construction Fund, to be deposited in that fund and used solely for the purposes authorized for expenditures from that fund, including, but not limited to, earthquake retrofitting, renovation, and remodeling of all portions of the Central San Bernardino Courthouse in need of retrofitting, renovation, or remodeling, whether or not necessitated by the retrofitting work, including the original courthouse built in 1926 and all subsequent additions thereto. Expenditures made from the Courthouse Construction Fund that are funded from the surcharge shall be made in order of priority to ensure that all necessary earthquake retrofitting of the Central San Bernardino Courthouse will be completed. Collection of the surcharge authorized by this section shall terminate upon repayment of the amortized costs incurred, or 30 years from the sale of the bond, whichever occurs first. However, the surcharge shall not apply in instances in which no filing fee is charged or the filing fee is waived. If the amortized costs have been repaid, or 30 years have passed since the sale of the bond, the county shall notify in writing the superior court and the Administrative Office of the Courts.

(c) This section shall remain in effect only until January 1, 2026, and as of that date is repealed, unless a later enacted statute that is enacted on or before January 1, 2026, deletes or extends that date.

Comment. Section 70624 is amended to add a sunset clause.

The preliminary part explains:

San Bernardino County. Section 70624 authorizes a filing fee surcharge in San Bernardino County to supplement that county's Courthouse Construction Fund. Collection of that surcharge "shall terminate upon repayment of the amortized costs incurred, or 30 years from the sale of the bond, whichever occurs first." According to Judicial Council staff, San Bernardino County recently paid off the debt for the courthouse construction projects in question. That development might mean that (1) the surcharge under Section 70624 should cease pursuant to the express terms of that section, (2) San Bernardino County should transfer the remainder of its Courthouse Construction Fund to the state pursuant to Section 70402, and (3) upon completion of that transfer, Section 70624 would be ripe for repeal. Apparently, however, there is an

unresolved issue regarding this matter and there are ongoing discussions about it between the county and the Judicial Council. To allow for resolution of that issue while ensuring that Section 70624 is eventually repealed, the Commission tentatively proposes to add a five-year sunset clause to the section.¹⁰

Although the preliminary part explains the purpose of the sunset clause, the proposed Comment does not. It occurred to the staff that it might be helpful to revise the Comment to say:

Comment. Section 70624 is amended to add a sunset clause, which is intended to afford time for resolution of issues relating to closure of the Courthouse Construction Fund for San Bernardino County.

The attached draft recommendation incorporates this revision. **Is the revision acceptable to the Commission?**

APPROVAL OF A FINAL RECOMMENDATION

After considering the matters discussed above, and any other issues that are raised at or before the upcoming meeting, **the Commission needs to decide whether to approve the attached draft as a final recommendation (with or without revisions), for publication and submission to the Legislature.**

Respectfully submitted,

Barbara Gaal
Chief Deputy Counsel

10. Court Facilities TR at 19-20 (footnotes omitted).

**EMAIL FROM DAVID BRODIE, CHIEF DEPUTY, OFFICE OF COUNTY
COUNSEL, SAN DIEGO COUNTY (4/16/19)**

Re: Law Revision Commission Seeks Comment on New Tentative Recommendation

Barbara,

Thank you for seeking input from our office on the Law Revision Commission's recommendations.

Our office supports the Commission's recommendation to repeal Gov't Code § 73956.

David Brodie

David Brodie, Chief Deputy
Office of County Counsel
1600 Pacific Highway, Rm. 355
San Diego CA 92101
Phone 619.531.4871 Fax 619.531.6005
david.brodie@sdcounty.ca.gov

County of Lassen, California
OFFICE OF COUNTY COUNSEL



Robert M. Burns, Lassen County Counsel
221 South Roop Street, Ste. 2
Susanville CA 96130

April 10, 2019

Ms. Barbara Gaal
Chief Deputy Counsel
California Law Revision Commission
4000 Middlefield Road, Room D-2
Palo Alto, CA 94303

RE: Comments from Lassen County Relative to the tentative recommendation on
Statutes Made Obsolete by Trial Court Restructuring (Part 6): Court Facilities

Dear Ms. Gaal,

Lassen County is in receipt of your email correspondence dated February 22, 2019 soliciting review and comments related to the tentative recommendation of the Commission identified above.

Specifically, and as it relates to Lassen County in particular, the tentative recommendation contemplates a statutory change which would eliminate Lassen's Courthouse Construction Fund. The premise of the recommendation is that "Lassen County no longer has a Courthouse Construction Fund" (from page 19 of the tentative recommendation; citing footnote 131, referencing footnote 117).

I have been assured by my elected Lassen County Auditor, Ms. Diana Wemple, that Lassen *does* have a Courthouse Construction Fund into which funds continue to be deposited. An inquiry has begun to determine the source of these funds and the legitimacy of their continued collection. In the meantime, May 1 (deadline for submission of comments) is coming soon and I wanted to report to you that it appears premature to make this statutory change until we know more.

If you have any questions, feel free.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Burns", is written over the word "Sincerely,".

Robert M. Burns



SHERRI R. CARTER
EXECUTIVE OFFICER / CLERK OF COURT

111 NORTH HILL STREET
LOS ANGELES, CA 90012-3014

***Superior Court of California
County of Los Angeles***

May 1, 2019

California Law Revision Commission
4000 Middlefield Road, Room D-2
Pala Alto, CA 94303
c/o: Ms. Barbara Gaal, Chief Deputy Counsel

RE: Tentative Recommendation – Statutes Made Obsolete by Trial Court Restructuring (Part 6): Court Facilities (February 2019)

Dear Ms. Gaal:

The Superior Court of California, County of Los Angeles (Court) is in receipt of your correspondence dated February 26, 2019 soliciting our feedback on the California Law Revision Commission's (Commission) [tentative recommendation on Statutes Made Obsolete by Trial Court Restructuring \(Part 6\): Court Facilities.](#)

The Court has reviewed the recommendation in full. We have only one comment regarding the Commission's recommendation to leave Government Code § 76219 unchanged. The Court agrees with this approach. Three of our courthouses, the Michael D. Antonovich Antelope Valley Courthouse, the Airport Courthouse, and the Chatsworth Courthouse, still have outstanding debt governed by Government Code § 76219; therefore, it is important the statute remains intact at this time.

The Court does not have any comments on the Commission's other recommendations outlined in the tentative recommendation. We appreciate the Commission's engagement on these issues and look forward to continuing to work with the Commission as it completes its work on the J-1405; Statutes Made Obsolete by Trial Court Restructuring study.

Sincerely,

A handwritten signature in blue ink that reads "Sherri R. Carter".

Sherri R. Carter

**EMAIL FROM NANCY EBERHARDT, COURT EXECUTIVE OFFICER,
SUPERIOR COURT OF SAN BERNARDINO COUNTY (4/29/19)**

**Re: Law Revision Commission Study of Statutes Made Obsolete by Trial Court
Restructuring (Part 6)**

Dear Ms. Gaal:

Thank you for the opportunity to provide comment to your proposed revisions per the attached.

The Superior Court of California, County of San Bernardino, agrees with the revisions as proposed.

Sincerely,

NANCY CS EBERHARDT
Court Executive Officer
Superior Court of San Bernardino County, Court Executive Office
247 West Third Street, 11th Floor
San Bernardino, CA 92415
W: (909) 708-8769 F: (909) 708-8782
www.sb-court.org
neberhardt@sb-court.org

CALIFORNIA LAW REVISION COMMISSION

4000 MIDDLEFIELD ROAD, ROOM D-2
PALO ALTO, CA 94303-4739
650-494-1335



February 26, 2019

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
EXECUTIVE OFFICE

Nancy CS Eberhardt
Court Executive Officer
San Bernardino County Superior Court
San Bernardino Justice Center
247 W. Third St., 11th Floor
San Bernardino, CA 92415-0302

Re: Law Revision Commission Study of Statutes Made Obsolete by Trial Court Restructuring (Part 6)

Dear Ms. Eberhardt:

The Law Revision Commission seeks comments on its tentative recommendation on *Statutes Made Obsolete by Trial Court Restructuring (Part 6): Court Facilities*. To receive timely consideration, comments should be submitted by **May 1, 2019**.

A copy of the press release for the tentative recommendation is enclosed for your convenience. You can access the tentative recommendation electronically at: <http://www.clrc.ca.gov/pub/Misc-Report/TR-J1405.pdf>.

The Commission would appreciate input on any aspect of its tentative recommendation. The following provision in the proposal relates specifically to San Bernardino County:

Gov't Code § 70624 (see pp. 19-20, 31-32)

Please also examine the entries for your county in the tables on pages 44 (Gov't Code § 76000(e)), 49-51 (Gov't Code § 77201.3(a)(1)), and 51-52 (Gov't Code § 77201.3(a)(2)(A)).

Background materials and further information on the Commission's study are available at: www.clrc.ca.gov/J1405.html. If you have any questions, you can reach me at bgaal@clrc.ca.gov or (650) 494-1335.

Thank you very much for considering this matter. Comments from knowledgeable sources are invaluable in the Commission's study process.

Sincerely,

A handwritten signature in blue ink that reads "Barbara Gaal".

Barbara Gaal
Chief Deputy Counsel

File: J-1405

CALIFORNIA LAW REVISION COMMISSION

4000 MIDDLEFIELD ROAD, ROOM D-1
PALO ALTO, CA 94303-4739
650-494-1335



NEWS RELEASE
February 20, 2019
For Immediate Release

Contact: Barbara Gaal
Chief Deputy Counsel
650-494-1335

Statutes Made Obsolete by Trial Court Restructuring (Part 6): Court Facilities

Request for Public Comment

In the past, California had several types of trial courts (superior courts, municipal courts, and justice courts). Those courts were county-operated, funded primarily by the counties, and largely staffed with county employees. Court facilities belonged to the counties, which were responsible for building and maintaining them.

Around the turn of the century, three major reforms of California's trial court system occurred:

- (1) *Trial court unification*. Municipal and justice courts were eliminated; all trial court operations were consolidated in the superior court in each county.
- (2) *Lockyer-Isenberg Trial Court Funding Act*. Under this Act, the state assumed full responsibility for funding and operating the trial courts, instead of placing that responsibility primarily on the counties.
- (3) *Trial Court Employment Protection and Governance Act*. This Act established a new personnel system for trial court employees, in which they became employees of the court itself, instead of the county or the state.

At the request of the Legislature, the Law Revision Commission helped to draft the extensive constitutional and statutory revisions necessary to implement these major reforms. Since then, the Commission has done much additional work to update the codes to reflect the restructuring of the trial courts.

The Trial Court Funding Act did not resolve issues relating to court facilities. Instead, it created a task force on court facilities, which made recommendations that became the basis for the Trial Court Facilities Act enacted in 2002.

Under the Trial Court Facilities Act, the judicial branch became primarily responsible for court facilities. The Act specified a process for transferring the court facilities in each county to the state. Those transfers were essentially complete by 2009.

Many statutes relating to court facilities now appear to be obsolete, in whole or in part. The Commission tentatively recommends various revisions to remove obsolete material. The Commission seeks comment on its proposed revisions.

The tentative recommendation is available at www.clrc.ca.gov/J1405.html. Comments can be in any format. The Commission often substantially revises its recommendations as a result of public comment. To receive timely consideration, comments should be submitted to bgaal@clrc.ca.gov by **May 1, 2019**.

**EMAIL FROM CHARLES MARTEL, SUPERVISING ATTORNEY,
JUDICIAL COUNCIL (4/30/19)**

Re: Comment on Tentative Recommendation: *Statutes Made Obsolete by Trial Court Restructuring (Part 6): Court Facilities*

Good afternoon Barbara,

With re: the section 76101.5 reference to Lassen County on page 19 – notwithstanding the cited *CCF Report* (fn 131), it appears that Lassen County may still be holding funds in its Courthouse Construction Fund. The county and Judicial Council are currently discussing the transfer of those funds to the state pursuant to section 70402. Though the county’s ability to transfer funds from its Courthouse Construction Fund to its Criminal Justice Facilities Construction Fund pursuant to section 76101.5 is almost certainly not relevant to resolution of that issue, in light of those on-going discussions, it might be wise to briefly delay the proposed revision to section 76101.5 through a short sunset clause (the five year sunset clause proposed with respect to section 70624 on page 20 of the Tentative Recommendation seems too long to be used in this case).

With regards,

Charley

Charles R. Martel, Supervising Attorney
Legal Services | Leadership Services Division
Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102-3688
415-865-4967 | charles.martel@jud.ca.gov | www.courts.ca.gov

**EMAIL FROM PHILIP POGLEDICH, COUNTY COUNSEL,
COUNTY OF YOLO (4/12/19)**

Re: Law Revision Commission Seeks Comment on Tentative Recommendation

Barbara,

Thanks for the opportunity to comment, and my apologies for responding so long after our initial exchange. We have reviewed the proposed changes that specifically affect Yolo County and have no comments or concerns.

A handful of other issues came up in the course of reviewing this with County staff. Having now researched each of those issues, I do not believe it is appropriate to raise them for your consideration. Those issues are either beyond the purview of the Law Revision Commission or lack a compelling basis.

Thanks,
Phil

Philip J. Pogledich
County Counsel
County of Yolo
625 Court Street, Room 201
Woodland, CA 95695
Tel: (530) 666-8275
Fax: (530) 666-8279