

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # *B-6

Urgent

Routine

AGENDA DATE December 20, 2011

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval of the Stanislaus County Legislative Platform for 2012

STAFF RECOMMENDATIONS:

Approve the Stanislaus County Legislative Platform for 2012

FISCAL IMPACT:

There is no immediate fiscal impact in approving the platform. However, changes in the law and actions by elected officials and government agencies during the year may have a significant fiscal impact on local government.

BOARD ACTION AS FOLLOWS:

No. 2011-778

On motion of Supervisor Chiesa, Seconded by Supervisor De Martini

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, De Martini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

The Legislative Platform for 2012 consists of State and Federal components. The platform focuses on issues of concern and priority for the Board of Supervisors, the County Chief Executive Officer and County departments. The platform is used as guidance and direction for legislative involvement throughout the year.

The State Legislative Platform addresses a myriad of issues impacting Stanislaus County. This year's State Platform includes policy-related concepts linked to State budget impacts including Realignment and protection of local government interests. The Platform also contains guiding principles and priorities for the County's legislative efforts.

Identified priority areas of the State Platform include infrastructure items such as roads, bridges, transportation and levees, law enforcement elements, State regulatory relief, funding of mandates and the negative bailout challenges that have faced the County.

Additional State Legislative Platform items include policy and topic areas such as the Williamson Act, jail and coroner facilities, healthcare and environmental regulations.

The Federal Legislative Platform addresses significant priorities such as enhanced radio operability for public safety, Orestimba Creek flood control, the Tuolumne River Regional Park, energy from waste and the Valley Family Medicine Residency Program.

The Legislative Platform of 2012 does not exclude consideration of any other issues or legislation that may arise throughout the year.

POLICY ISSUES:

The Board of Supervisors should determine if the 2012 Legislative Platform is consistent with their legislative priorities.

STAFFING ISSUES:

There is no staffing impact associated with this item.

CONTACT PERSON: David Jones, Chief Executive Office, 209-525-6333

STANISLAUS COUNTY
2012 LEGISLATIVE PROJECTS
AND ISSUES



**STANISLAUS COUNTY
2012 LEGISLATIVE PROJECTS & ISSUES**

**STANISLAUS COUNTY
BOARD OF SUPERVISORS**

William O'Brien District 1
Vito Chiesa District 2
Terry Withrow District 3
Dick Monteith District 4
James DeMartini District 5

Richard W. Robinson Chief Executive Officer

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Stanislaus County Administrative Offices
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Prepared in Collaboration with Peterson Consulting, Inc, Shaw/Yoder/Antwih, Inc., and
Pillsbury Winthrop Shaw Pittman LLP

Stanislaus County 2012 Legislative Platform

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Stanislaus County 2012 Legislative Projects and Issues

Stanislaus County Legislative Principles

The Stanislaus County Board of Supervisors supports the principles set forth below as general, guiding principles for legislative issues impacting Stanislaus County. County staff, including the County's legislative advocates, will apply these general, guiding principles to evaluate and respond to proposed and adopted legislation, as well as executive and regulatory directives.

- Support full funding and maximum program flexibility for the County to implement state and federally mandated programs, including the 2011 Public Safety and Health and Human Services Realignments.
- Seek and support a Constitutional Amendment which will ensure adequate, ongoing and protected funding to Counties for the implementation of the 2011 Realignment.
- Oppose any further state revenue reductions to counties or property tax shifts away from counties.
- Oppose state or federal mandates without a dedicated, ongoing revenue source; oppose the transfer of state or federal programs to the County, unless adequate on-going revenues are provided and dedicated exclusively for that purpose.
- Encourage and seek legislation that facilitates orderly economic expansion and growth, and increases the opportunity for discretionary revenues and programmatic and financial flexibility for the County.
- Support legislation that provides tax and funding formulas for the equitable distribution of state and federal monies. Oppose attempts to decrease, restrict, shift, or eliminate County revenue sources.
- Seek appropriate cooperation with the state and federal government on regulatory and administrative issues affecting the County so as to ensure the protection and well-being of its citizens.
- Support legislative and administrative action to assure that the state will meet its financial obligations to counties through the timely and full remittance of payments due.



Stanislaus County 2012 Legislative Projects and Issues

- Oppose state efforts to take any additional property tax revenue from Stanislaus County. Support the additional allocation of property tax revenues to Stanislaus County.



Stanislaus County 2012 Legislative Projects and Issues

Stanislaus County Legislative Priorities

The following is a list of legislative priorities approved by the Stanislaus County Board of Supervisors. Additional projects and priorities are contained in this document. Further legislation and administrative actions also may be added during the 2012 legislative session.

- **Constitutional Protections for 2011 Realignment** – The Legislature and Governor approved a massive public safety and health and human services realignment in 2011, which included \$5 billion in funding for Fiscal Year 2011-12. However, these funds are not guaranteed in future years, yet the responsibilities will permanently remain with counties. Stanislaus County supports a strong Constitutional Amendment that will protect state funding for counties implementing this realignment.
- **Mandate Legislation** - Support any action, including legislation, which will mandate full funding of any state mandated programs. Support legislation which would relieve local governments from implementing state mandates in the absence of state funding. Require State to reimburse Stanislaus County in full for any mandate payments previously deferred.
- **Regulatory Relief** – Oppose new regulations that increase costs to local governments without an appropriate funding source. Support legislation that freezes or decreases the imposition of new regulations that negatively impact local governments.
- **Williamson Act** –Support restoration of the Williamson Act subvention line item in the 2012-2013 Budget. Seek restoration of the subventions to the County at their historically highest level. Support legislation and administrative action that would improve the ability of both the State and the County to enforce the Williamson Act contracts through uniform control measures. Seek and support legislation which would strengthen AB 1265 (Nielsen, 2011) by removing or extending its sunset.
- **County Jail and Coroner Facilities/Prison Population** - Support any budget, legislative or administrative action to provide funding for the County jail expansion needs and new coroner facilities, with the condition that additional funding does not create a negative impact on Stanislaus County.



Stanislaus County 2012 Legislative Projects and Issues

- **Roads, Transportation and Bridges** - Support any budget, legislative or administrative action to provide funding for building, repairing, upgrading and maintaining the roads, bridges and the transportation network in Stanislaus County.
- **Healthcare Reform** - Support healthcare reform that does not financially impact Stanislaus County in a negative way. Examples of impacts may include unfunded or under-funded mandates that cause increased general fund obligation, or reallocation of existing Stanislaus County funding that results in an increased county general fund obligation.
- **Property Tax Administration Program** - Support any budget, legislative or executive action to restore funding for the Property Tax Administration Program and provide sufficient funding to all County departments that administer property tax collection, including the Assessor, Auditor-Controller, Treasurer-Tax Collector and Assessment Appeals Board.
- **Health Clinics** - More than 50% of the patients seen in the Stanislaus County health clinics are Medi-Cal patients for whom the County receives significantly less reimbursement than the cost of service. Seek the full federal implementation of AB 959 (Frommer), enacted in 2006, which will include non-hospital based outpatient clinic services among entities eligible for Medi-Cal reimbursement.
- **Park System** - Support any budget, legislative or administrative action to provide funding for the improvement and development of Stanislaus County parks, including the Tuolumne River Regional Park.
- **State Route 219** - Support any budget, legislative or administrative action to provide funding or other support for the successful completion of the State Route 219 project. A significant widening of this road is necessary to create a vitally needed transportation corridor in the north portion of Stanislaus County.
- **State Route 132** – Support any budget, legislative or administrative action to provide funding for the successful completion of the State Route 132 project. A significant widening of this road and interchange development is needed to improve transportation safety in Stanislaus County.
- **North County Corridor** - Support any budget, legislative or administrative action to provide funding or other resources for the successful completion of the North County Corridor project.



Stanislaus County 2012 Legislative Projects and Issues

- **Negative Bailout/Proposition 13** - Continue to seek a fiscally and statutorily comprehensive legislative solution to the negative bailout which was a result of Proposition 13 implementing legislation in 1982.

- **Levee Repairs, Flood Control and Water Supply Issues** – Support any budget, legislative or administrative action to provide funding for repairing and upgrading levees and/or to support flood control efforts in Stanislaus County. This includes Reclamation Districts and the Orestimba Creek flood control project. Support legislation and seek funding to enhance water supply and reliability for the residents of Stanislaus County.



Stanislaus County 2012 Legislative Projects and Issues

DEPARTMENT ISSUES

Stanislaus County has identified the following legislative interests, concerns, and proposed actions:

Area Agency on Aging

Contact: Margie Palomino, Director of Area Agency on Aging
(209) 558-8150

1. Powers of Attorney

Issue: Residents of Skilled Nursing Facilities are vulnerable to incidents of financial elder abuse. Notaries are only required to authenticate the identity of the person signing the document, not the person requesting the notarization. Notaries are not privy to medical records of residents regarding their capacity to sign legal documents.

Action: Support legislation which would require that a Patient Advocate or Ombudsman be present in a Skilled Nursing Facility when any Power of Attorney is signed.



Stanislaus County 2012 Legislative Projects and Issues

Assessor

Contact: Dave Cogdill, Assessor
(209) 525-6461

1. Support of the Williamson Act

Issue: The Williamson Act is economically and environmentally important to Stanislaus County. There are nearly 685,000 acres under contract in Stanislaus County. In 2010, the Williamson Act reduced overall revenue from property taxes by nearly \$14.15 million. The County's share of that is \$1.55 million. In the 2009-2010 Budget, the Governor eliminated the subventions, creating significant fiscal hardship for counties like Stanislaus with substantial acreage enrolled in the Act.

Action: Support restoration of the subventions to their highest historical levels in the 2012-2013 Budget. Support legislation and administrative action that would improve the ability of both the State and the County to enforce the Williamson Act contracts through uniform control measures. Oppose any weakening of the Act.



Stanislaus County 2012 Legislative Projects and Issues

Auditor-Controller

Contact: Lauren Klein, Auditor-Controller
(209) 525-6398

1. Negative Bailout Prop 13

Issue: When the State of California enacted enabling legislation following the passage of Proposition 13, counties were supposed to benefit by an infusion of property tax dollars. Stanislaus County, and five other counties, actually incurred a loss of property tax receipts. This so-called "negative bailout" grows each year and is an unfair and unanticipated impact of this legislation. The most current number indicates the Stanislaus County is subsidizing the state more than \$3.1 million each year through the "negative bailout." More than \$60 million in negative bailout funds have been paid to the State at the end of 2011.

Action: Sponsor/support legislation or any administrative or budget action to hold Stanislaus County harmless in the implementation of property tax legislation associated with Proposition 13, or to decrease the bailout paid to the State on an annual basis. Support action which will fully compensate Stanislaus County for the negative bailout that has occurred since 1982 and support action which will eliminate any negative bailout obligation in future years.

2. Property Tax Administration Fee

Issue: The State has previously provided a subvention to counties, most particularly the assessor, to assist in paying for the collection of property taxes. This is an important source of revenue necessary to sustain the property tax program. However, in the final 2005-2006 budget negotiations, the Property Tax Administration Grant program was eliminated. The current property tax administration fee legislation specifically precludes counties from recovering their costs from school districts. This has a significant impact on discretionary funds which must be diverted to cover these costs. In fiscal year 2010-2011 these unreimbursed costs totaled \$2.8 million.

Action: Support any budget, legislative or executive action to restore funding to the property tax administration program. Legislation needs to be implemented that would address this inequity. These costs reduce resources that are discretionary and could be used to fund public safety activities. Addressing this issue would also help ensure an adequate and stable level of services from County to County.



Stanislaus County 2012 Legislative Projects and Issues

3. Property Tax Allocation – AB 8

Issue: Counties receive an average of 17% of property tax revenues generated within their boundaries. Stanislaus County receives approximately 10% of each tax dollar generated countywide. This is the third smallest portion for all counties statewide.

Action: Legislation needs to be implemented that would address this inequity. These funds are discretionary and are used principally to fund public safety activities. Addressing this issue would also help ensure an adequate and stable level of services from County to County.



Stanislaus County 2012 Legislative Projects and Issues

Behavioral Health and Recovery Services

Contact: Madelyn Schlaepfer, Behavioral Health Director
(209) 525-6225

1. Protect Funding for Mental Health (MH) and Alcohol and Other Drug (AOD) Treatment

Issue: With the 2011 realignment structure, AOD is clearly vulnerable. AOD funding includes an entitlement program (Drug Medi-Cal) that has no provisions to limit or manage services. County allocations are based on the previous year's utilization. Thus, if demand grows and our realignment allocation for match is exhausted, demands for new funding could increase. Mental Health funding may be more secure for this fiscal year because Mental Health Services Act funding was used to pay for some of the costs. However, the source of funding for future years remains uncertain.

Action: Advocate for continued state involvement in compensating for increased cost of entitlements, and for the full funding of the federal maintenance of effort so that federal funds are not cut further. Support legislation which would require the State to use the federal upper payment limit when calculating federal reimbursement to counties, to have counties participate in developing the reimbursement methodology, and to implement the federal timeframes when submitting claims for reimbursement. Support legislation that provides that Medi-Cal benefits may be provided to an individual awaiting adjudication in a county juvenile detention facility if the individual is eligible to receive Medi-Cal benefits at the time he or she is admitted to the detention facility, or the individual is subsequently determined to be eligible for Medi-Cal benefits.

2. Mental Health (MH) and Substance Use Disorder (SUD) Treatment Parity

Issue: Current federal law speaks to parity of Mental Health (MH) and Substance Use Disorder (SUD) services with general physical health services in health plan coverage. If health plans choose to cover MH and SUD services, they need to do so with the same limitations as they would put on general health services. However, health plans are not required to offer MH and SUD services, allowing health plans to skirt parity laws by not offering to cover these services.

Action: Support legislation which expands the coverage requirement for certain health care service plan contracts and health insurance policies to include the diagnosis and treatment of a mental illness or substance abuse of a person of any age.



Stanislaus County 2012 Legislative Projects and Issues

Chief Executive Office

**Contact: Richard W. Robinson, Chief Executive Officer
(209) 525-6333**

1. Constitutional Protections for Realignment Funding

Issue: The Governor approved a massive, multi-billion dollar realignment in services from the state to counties. However, funding adequate to deliver these services is not constitutionally protected or guaranteed, leaving future year funding highly uncertain. Also, designated funding may not be adequate to fully fund mandates.

Action: Seek and support Constitutional protections for any current or future realignment programs from the State to Counties. Support any action, including legislation, which will mandate full, secure, reliable and ongoing funding of realignment programs.

2. Phase I Realignment

Issue: Under the proposed phase I of realignment, the State shifted responsibilities to counties in the areas of public safety, mental health, substance abuse, foster care, child welfare services, and adult protective services. The Budget funds the \$5.6 billion realignment using two fund sources: (1) the dedication of 1.0625 cents of the existing sales tax rate (\$5.1 billion) and (2) the redirection of vehicle license fee revenues (\$453.4 million). However, these massive new responsibilities do not have a secure funding stream, and can be modified or reduced by the Legislature with a simple majority vote.

Action: Support any action, including legislation, which will mandate full funding of Phase I Realignment and secure funding for the realigned programs. Support legislation or other action which would assure constitutionally guaranteed funding. Advocate for a more streamlined mandate claims process.

3. Phase II Realignment

Issue: Under the proposed phase II of realignment, the state would become responsible for costs associated with California Children's Services and In-Home Supportive Services, while the counties would assume responsibility for CalWORKs, CalFresh administration (formerly food stamps), and Child Support Services.

Action: Support any action, including legislation, which will mandate full funding of Phase II Realignment. Support legislation or other action which would assure constitutionally



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guaranteed funding. Seek the deferral of Phase II implementation until such time as Constitutional protections are in place, and it is clear through the 2012 elections that federal healthcare reform will be enacted.

4. Levee Repairs and Flood Control Issues

Issue: Levees are in significant need of repair and improvement in Stanislaus County. There are approximately 75-80 miles of levees in the County. Other flood control measures are needed to protect the residents and property of the County. Two solid waste treatment sites in Stanislaus County would pose an immediate health and safety risk to the public if flooding from the San Joaquin River should occur.

Action: Support any budget, legislative or administrative action to provide funding for repairing and upgrading levees and/or to support flood control efforts in Stanislaus County.

5. County Jail and Coroner Facilities

Issue: The Stanislaus County Jail and Coroner's Facility need significant expansion and upgrading.

Action: Support any budget, legislative or executive action to provide funding to meet County jail expansion needs and a new coroner facility, with the condition that additional funding does not create a negative impact on Stanislaus County. Oppose Administration efforts to establish criteria for jail funding that requires Counties to site state correctional facilities within the County to establish eligibility for jail funding.

6. Roads, Bridges and Transportation

Issue: There is not sufficient funding to maintain and improve the road, bridges and transportation network in Stanislaus County.

Action: Support any budget, legislative or administrative action to provide funding for building, repairing, upgrading and maintaining the roads, bridges and transportation network in Stanislaus County.

7. Orestimba Creek Flood Control Project

Issue: Orestimba Creek, on the west side of Stanislaus County, floods and creates millions of dollars of annualized damages to the community with significant negative impact on the local economy. Stanislaus County has been working with the Army Corps of Engineers on



Stanislaus County 2012 Legislative Projects and Issues

the feasibility study of a flood control project as the non-federal partner with the Army Corps.

Action: Support any budget, legislative or administrative action that would fund the Orestimba Flood Control Project through the feasibility, preconstruction engineering and design and construction phases. Seek to include funding for this project in any legislative appropriation or bond funds for flood control.

8. Worker's Comp for Adult Work Program

Issue: Currently inmates working and participating in the Adult Work Program in the County are covered by worker's compensation in the event of injury during such participation.

Action: Support legislation that would exclude inmate labor from worker's compensation protection for any injury occurring as a participant in the Adult Work Program.

9. Jobs and Housing Imbalance

Issue: Stanislaus County has a jobs/housing ratio that is less than the currently accepted standard of 1.5 jobs per housing unit.

Action: Support legislation and administrative rule making that provides State-funded fiscal incentives and local flexibility to support job creation projects to mitigate the imbalance of jobs and housing.

10. State Route 219

Issue: Stanislaus County is working to improve SR 219 to provide a safer, higher quality transportation access for people using this Route in Stanislaus County. A significant widening of this road is needed to improve transportation safety in Stanislaus County.

Action: Support budget, legislative or administrative action that would assist in the completion of the improvement project for SR 219.

11. State Route 132

Issue: Stanislaus County is working to improve SR 132 to provide a safer, higher quality transportation route through this high-volume traffic, east-west corridor. The project involves a significant widening between Interstate 5 and Highway 99, interchange work and



Stanislaus County 2012 Legislative Projects and Issues

infill projects east of Highway 99. A significant widening of this road is needed to improve transportation safety in Stanislaus County.

Action: Support budget, legislative or administrative action that would assist in the completion of the improvement project for SR 132.

12. In Home Supportive Services (IHSS)

Issue: The In-Home Supportive Services program continues to grow in participation, resulting in higher costs for additional staffing to meet the demand for services, which increases pressure on the county general funds. The county costs of implementation of the IHSS system are projected to increase as a result of caseload and provider wage increases. IHSS provides valuable services to those in need, but the program requires proper oversight and fraud prevention measures.

Action: Continue to support full and continued state funding of the IHSS program. Support reform efforts that promote appropriate fiscal management and decrease impact to County general fund. Oppose legislation to restrict local control of realignment dollars or to mandate a certain level of IHSS worker pay. Support the full enactment of oversight and fraud prevention measures to ensure appropriate service delivery while minimizing waste and fraud in the system. Seek and support state funding for fraud prevention including re-authorization of funding in the State budget that could be used by the Stanislaus County fraud prevention unit. Oppose any unfunded mandates associated with the IHSS program.

13. University of California, Merced - School of Medicine

Issue: There is an extreme shortage of physicians in the central valley of California. There is a project underway to create a school of medicine to be based out of UC Merced. This medical school would provide increased access to health services for needy patients in the valley and would graduate more physicians who would stay in the valley.

Action: Support efforts that would facilitate the development of a school of medicine at the University of California, Merced.

14. Mandate Legislation

Issue: State funding cuts to mandated programs, without commensurate mandate relief, is an unjust burden on county government. Also, imposing new mandates that do not contain a State funding source but, rather, delegate the responsibility for funding the mandate to local government through the optional implementation of a new "fee" that would serve as the funding source, is disingenuous and veils the true cost and impact of mandates.



Stanislaus County 2012 Legislative Projects and Issues

Action: Support any action, including legislation, which will mandate full funding of any state mandated programs. Support legislation which would relieve local governments from implementing state mandates in the absence of state funding. Oppose passage of State mandates which contain only optional funding sources. Oppose the use of optional, new local fees as the funding source for mandates.

15. **Regulatory Relief**

Issue: Local budgets are critically short of needed revenue. Additional, non-urgent regulatory burdens are not prudent during financial crises.

Action: Oppose any additional non-urgent regulatory requirements on the county from any organization, agency or entity. Support legislative and administrative efforts to appropriately suspend or reduce regulatory burdens on local public agencies.

16. **Septic Tank Regulation by Water Resources Board**

Issue: AB 885 (Jackson) was passed in 2000 and directed the California EPA's State Water Resources Control Board to adopt statewide regulations in regard to onsite wastewater treatment systems. Local governments have requirements that govern the design and construction permitting of septic systems. Each Regional Water Board has adopted requirements for septic systems. Periodically, the state attempts to implement statewide regulation in regard to septic systems.

Action: Support reasonable statewide regulations for septic systems that are consistent with local regulations and do not add cost to local residents or government.

17. **Valley Family Medicine Residency Program**

Issue: The central valley is in desperate need of physicians. The Valley Family Medicine Residency Program began training resident physicians in Stanislaus County starting July 1, 2010.

Action: Support the Valley Family Medicine Residency Program. Support budget, grants, legislative or administrative action that would assist in supporting and enhancing the program.

18. **SB 375 & AB 32 Implementation**

Issue: It is important to protect the environment. AB 32 and SB 375, while well-intentioned to reduce the amount of greenhouse gas emissions, are onerous, ill-timed and inappropriate for the devastating economic climate facing California and local governments.



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Action: Support the suspension or appropriate amendment of AB 32 and SB 375 to provide economic relief throughout the state to businesses and government.

19. Enterprise Zones

Issue: In November 2005, Stanislaus was awarded its Enterprise Zone designation. Since that time there has been a substantial amount of legislative activity focused on changing the Enterprise Zone program. Many of these changes may negatively impact the opportunity for the Stanislaus Enterprise Zone to be fully developed. Tax vouchering credits are an extremely important element of the Enterprise Zone program.

Action: Protect the existing structure of the State Enterprise Zone program. Oppose legislation, administrative action or budget proposals that eliminate or fundamentally alter key components such as tax credit provisions. Oppose legislation that would negatively impact the Enterprise Zone program.

20. Highway Route 59

Issue: Existing law provides that the Department of Transportation has full possession and control of all state highways. Existing law describes the authorized routes in the state highway system. Existing law authorizes the California Transportation Commission to select, adopt, and determine the location for state highways on routes authorized by law, as specified. Existing law provides that State Highway Route 59 is from Route 152 northerly to Route 99 near Merced and from Route 99 near Merced to Snelling.

Action: Support AB 464 (Olsen, 2011), or similar legislation, which would provide that Route 59 also includes the segment of roadway from Route 132 to Route 108/120.

21. North County Corridor

Issue: The North County Corridor is an important project for transportation in Stanislaus County.

Action: Support any budget, legislative or administrative action to provide funding or other resources for the successful completion of the North County Corridor project. Support any actions to permit the use of proceeds from the sale of excess properties acquired for improvements to State Highway Route (SR) 120 to be used for improvements to SR 108, also known as the North County Corridor, in Stanislaus County.



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22. Video Arraignments

Issue: The Stanislaus County Public Safety Center is located four miles from the Stanislaus County Courthouse. The cost of transporting prisoners for arraignment is costly and can be physically dangerous for officers, with the risk of a possible inmate escape or injury being present. Existing law allows rights for certain prisoners as they may choose to be arraigned remotely via video so they do not need to be transported to the Courthouse.

Action: Support legislative or other action that would promote increased use of video arraignment in the county public safety system.

23. Residential Housing Projects

Issue: The Housing Accountability Act, Government Code § 65589.5, limits the ability of local governments to reject proposed affordable housing development projects only if findings are made that (1) “the project would have a specific, adverse impact upon the public health or safety unless the project is disapproved” and (2) “[t]here is no feasible method to satisfactorily mitigate or avoid the adverse impact.” Until recently, local governments only made these findings when considering affordable housing projects. However, the Fifth Appellate District in *Honchariw v. Stanislaus County* (F060788) applied §65589.5(j) to a project unrelated to affordable housing. This new judicial requirement imposes a high burden for local government to deny residential housing projects that are unrelated to affordable housing, such as ranchettes and “McMansion” type projects.

Action: Support amendment of Government Code §65589.5 to clarify that it is only applicable to affordable housing projects.

24. Workers' Compensation for County Jail Inmates

Issue: Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, that generally requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their employees sustained in the course of employment. As the law currently is written, counties are required to provide a greater scope of worker's compensation benefits to inmates than are provided to inmates in state penal and correctional institutions.

Action: Support legislative action that would create certain limitations for county prisoners entitled to workers' compensation benefits for an injury arising during the course of assigned employment subject.



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25. Grand Jury Financial Responsibility

Issue: Grand Juries are impaneled in each California county through provisions in the California Constitution. Existing law establishes the Superior Court system as having supervisory authority over the County Grand Jury, while the financial responsibility and the responsibility to defend actions brought against Grand Juries, is delegated to the local county.

Action: Support legislative or other action that would provide for full State funding of the Grand Jury, including the legal defense of the Grand Jury.



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Child Support Services

**Contact: Tamara Thomas, Interim Director/Assistant Director
(209) 558-3062**

1. Child Support Guideline Review

Issue: A Guideline Review study with the Administrative Office of the Courts in an effort to adjust the formula of California's Child Support currently exists. It is anticipated that the State Department of Child Support Services (DCSS) will sponsor a Guideline bill in 2012. Currently, some non-custodial parents with child support orders who, for legitimate reasons, are unable to pay, end up facing a collection action. This action hurts both the non-custodial parent who is willing to pay but unable, and it is inappropriately negative to performance statistics of child support organizations.

Action: Support legislation to appropriately address the issue of low income non-custodial parents in order to reduce uncollectable arrears in California, and improve overall statewide performance.



Stanislaus County 2012 Legislative Projects and Issues

Clerk of the Board

Contact: Christine Ferraro-Tallman, Clerk of the Board
(209) 525-6333

1. Brown Act Changes

Issue: Changes in the law regarding Closed Meeting regulations (Brown Act) or public records can impact the Clerk of the Board operations.

Action: Closely monitor legislation introduced in these areas, advocate as appropriate and oppose additional unfunded mandates.

2. Online Posting

Issue: Several bills were introduced in 2011 which would have resulted in unfunded mandates associated with activities of the office of the Clerk of the Board.

Action: Oppose unfunded mandates or other legislation which would unnecessarily burden the Clerk of the Board with requirements that are not feasible to implement in Stanislaus County.



Stanislaus County 2012 Legislative Projects and Issues

Community Services Agency

Contact: Chris Applegate, Director
209-558-2520

1. Tier 1 Crimes for IHSS Providers

Issue: There are currently only three crimes that create an automatic ten-year exemption for IHSS providers. The exemption does not offer the opportunity for a waiver or general exemption until ten years after the person has been convicted or incarcerated. The three crimes are elder abuse (PC 368), child abuse (PC 273a(a)) and fraud against a government health care or supportive services program. Other programs that serve vulnerable populations, i.e. children, in a home setting have much stricter requirements regarding criminal histories for those seeking to provide such care and/or supervision.

An expanded list of non-exempt and non-waiveable crimes for IHSS providers would be beneficial for the protection of program participants. The list for automatic ten-year exclusions should be expanded to include the list of violent felonies specified in CA Penal Code Section 667.5.(c). These crimes should be included in Tier I. Currently these crimes are included in the Tier II that allows a waiver or general exemption with no time frame.

Action: Seek and support legislation which would amend the Welfare and Institution code (12305.81) to include violent felonies to the automatic non-exempt, non-waiveable 10 year exclusion.

2. IHSS Investigations

Issue: The California Welfare and Institutions Code Section 12305.82(e) states that Counties may only investigate suspected fraud in amounts under \$500 in connection with the receipt of supportive services.

Action: Support the removal of California Welfare and Institutions Code Section 12305.82(e) so counties can investigate suspected fraud in amounts without limitation.

3. County Cost of Doing Business for Social Service Programs

Issue: County social service programs have been without a reliable method for recapturing normal increases in the cost of doing business. Since 2000, over \$1 billion of the costs associated with these programs have been shifted to the counties as a result. In Stanislaus County, this is a cumulative loss of \$17.7 million in necessary funding to provide mandated services. In the Adult Protective Services program alone in Stanislaus County,



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there is an annual shortfall of \$275,000 because of lack of increases in state funding. Also, the county's Community Services Agency staff projects an additional \$174,000 in cuts from the state for operations and services.

Action: Support administrative or budget action to issue a methodology for county social service programs to capture their increases in operating costs and be properly funded to provide mandated services.

4. 100 Hour Rule for Cal-Works

Issue: Two-parent families in the CalWORKs program can be denied CalWORKs benefits, even if they are financially eligible, if the Primary Wage Earner works more than 100 hours per month. It also creates a disincentive for these families to work full-time and to remain intact.

Action: Support legislation to eliminate or appropriately modify the 100-hour rule in the CalWORKs program to allow all families equal opportunity for assistance based on their income and not their family composition.

5. Medi-Cal Maintenance Need Level Increase

Issue: The Medi-Cal Maintenance Need Level (MNL) is too low, which results in the beneficiary having a high share of cost unless they qualify under a specialty program. The MNL has not been raised since July 1, 1989 and does not take into account current living expenses. Additionally, the over 200 special programs are difficult to administer and are extremely cumbersome at the county level. An overall increase in the MNL would be extremely beneficial to county consumers.

Action: Support budget action to raise the Medi-Cal Maintenance Need Level to be the same as the Federal Poverty Level. This will ensure the MNL is raised yearly, consistent with inflation.

6. CalWORKS Child Care Program

Issue: The CalWORKs Child Care Program has different program requirements depending on whether the recipients are in Stage 1, 2, or 3. Having different program requirements for different stages leads to operational inefficiency.

Action: Support administrative or legislative action to require the California Department of Education, California Department of Social Services, and the Chancellor's Office of the



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California Community Colleges to adopt the same regulations for the administration of the CalWORKs Child Care Program Stages 1, 2, and 3.

6. **Work-Related English as a Second Language (WESL)**

Issue: Refugees enter the United States with many barriers to becoming self-sufficient and productive members of our communities. For Refugees new to the United States, the customs and the language, the first step to being successful is a grasp of the English language. In order to receive benefits and services in the CalWORKs and Refugee programs, customers must participate in work activities. Under current federal regulation, English as a Second Language (ESL) is not a core activity and yet it is one of the greatest barriers to successfully obtaining employment for a refugee.

To remain eligible for benefits in CalWORKs and Refugee Social Services (RSS) programs, families and individuals are required to participate in employment activities. The goals of these programs for refugees are to integrate them into the United States as soon as possible and to promote family self-sufficiency, stability and health. Counties provide related services to assist the family towards their goals. However, it is increasingly difficult to find the resources in counties to work successfully with populations that speak limited English or do not speak English at all.

Action: Support changes to the program such that ESL or Work-Related ESL (WESL) be deemed a core activity for refugee customers for a minimum of 8 months with an allowable extension of up to one year. Refugees would be able to concentrate on learning English and local customs to assist in integration into their communities and be more successful in understanding their other work related activities.

7. **Drug Felons in the CalWORKs program**

Issue: Persons convicted of certain drug related felonies are not eligible for TANF benefits. States may pass specific laws to opt out of this federal provision. California has opted out of this federal provision for California residents in the CalFresh program, but has not yet enacted similar legislation for the CalWORKs program.

In the CalFresh program, specific drug felons who are taking steps to be drug free are now eligible for benefits. They are not eligible for CalWORKs that would support their efforts to maintain a stable family life. CalWORKs requires eligible persons to participate in employment activities and provide related supportive services to assist them in being successful. These employment services assist customers in keeping their family together, in becoming self-sufficient, and providing a stable and healthy atmosphere for their children. Customers who have a drug felony in their history are not eligible no matter their current



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status is related to drugs, but would benefit by the supportive atmosphere CalWORKs activities could provide for them.

Proposition 36 and other legislation opened doors to provide rehabilitation opportunities for drug-related offenses. It is recognized that drug felons are able to turn their lives around and become productive members of the community. The CalWORKs program does not recognize these efforts, which can increase the challenges of maintaining a stable lifestyle. The felony drug exclusion undermines the goals of the TANF program to reduce dependency. Customers' efforts to stay off of drugs and their efforts to improve their health and mental health should be supported by allowing access to CalWORKs benefits and services. Operationally, it is cumbersome for case-carrying staff to administer cases where there is a difference in the program eligibility. As caseloads increase, the simplification and alignment of programs is a priority.

Action: Utilize the criteria established by the CalFresh program and bring CalWORKs into alignment with CalFresh in dealing with drug felons.



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District Attorney

Contact: Birgit Fladager, District Attorney
(209) 525-5550

1. Death Penalty

Issue: Existing law establishes the sentence of death as the penalty for certain crimes under particular circumstances, as specified. There is the possibility of legislation that would place a moratorium on the carrying out of any executions.

Action: Oppose any legislation that would place a moratorium on executions.



Stanislaus County 2012 Legislative Projects and Issues

Environmental Resources

Contact: Sonya Harrigfeld, Director
(209) 525-6700

1. Tuolumne River

Issue: The Tuolumne River extends 52 miles from the LaGrange Dam down to the confluence of the San Joaquin River. The river is an important natural resource for the central valley.

Action: Support any budget, legislative or administrative action, including accessing Proposition 84 funding, to assist in habitat restoration, park development or the improvement or expansion of existing parks along the river.

2. Recover Costs of School Inspections

Issue: A number of schools that contain food facilities in Stanislaus County require inspection, routine monitoring, and food safety education. This service has been provided without the benefit of cost recovery because of the exemption clause in Government Code Section 6103. Health & Safety Code Section 113920 provides for cost recovery. If Environmental Resources were to charge for this service, over \$100,000 in revenue could be collected. However, schools are considered exempt because of Government Code Section 6103. Adding a subset to Health and Safety Code Section 113920 would provide clarity to this issue and allow for cost recovery to take effect.

Action: Support legislation to change Health & Safety Code Section 113920 to clarify and allow for the recovery of the costs of inspecting, monitoring and providing education regarding food safety, so as to allow cost recovery to take place within the education system of the State of California.

3. California Integrated Waste Management Board Diversion Credits

Issue: The Stanislaus County food processing industry generates more than 350,000 tons of solid food process by-products on an annual basis. These food processing by-products are land-applied as a soil amendment or fed to livestock, thereby keeping these byproducts out of landfills and creating a positive impact on the waste stream. At times, legislation and regulations are proposed that would impact this process and jeopardize the County's diversion credits. If Stanislaus County loses the food processing credit, it would lose an approximately 16% diversion credit that would drop the County to about 48% diversion rate. In addition, if the County also loses the Waste-to-Energy transformation credit, the



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Stanislaus Regional Planning Agency would be down to 38% landfill diversion. This would, in effect, put the County in violation of the Public Resources Code by having an inadequate Integrated Waste Management Plan, creating a liability for each jurisdiction in our Regional Agency of up to \$10,000 per day in fines. Ratepayers would incur additional costs for these new programs and the Regional Agency jurisdictions would incur (county) staff time costs to revise the plan(s).

Action: Support legislation to expand the County's ability to maximize its diversion credits and to support a demonstration project in Stanislaus County. Oppose legislation which would eliminate or negatively impact the diversion credits earned by the County.

4. Definition of Solid Waste Facility

Issue: The County is very concerned with legislative attempts to revise the definition of a solid waste facility.

Action: Monitor proposed legislative changes to ensure any new definition would include waste disposal eligible for diversion credit, inclusive of Waste-to-Energy transformation facilities.

5. Park System

Issue: Stanislaus County has a master plan for development of park facilities in the County. The County also is in a Joint Powers Authority with the City of Modesto and the City of Ceres for the Tuolumne River Regional Park.

Action: Support any bonds, budget, legislative or administrative action to provide funding for the improvement and development of County parks, including the Tuolumne River Regional Park.

6. Clean-up grants

Issue: Clean-up of local nuisance (disposal) sites are beyond the scope of traditional code enforcement clean-up efforts, even when on occupied properties where property owners are unwilling or unable to comply. Expansion of grant funds for the California Integrated Waste Management Board (CIWMB) is needed to support these efforts.

Action: Support increased funding and the flexibility for CIWMB to make available the maximum amount that is allowed for Illegal Disposal Site Clean-ups (a maximum of \$500,000) that may be associated with abandoned properties.



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7. **Odor complaints associated with Composting Facilities**

Issue: The State is the Enforcement Agency (EA) and thus responsible for, but not able to respond quickly to, odor complaints due to travel distances. Furthermore, unlike local air districts, the State does not issue Notices of Violation (NOVs) which have financial penalties attached. NOVs are a necessary fiscal incentive to obtain compliance in problem situations. The State's inability to address these issues adequately results in significant problems with problematic or inadequate solutions.

Action: Return oversight responsibility for odor complaints back to the local air districts, at least in areas where the California Integrated Waste Management Board is the EA.

8. **Mandating commercial recycling**

Issue: AB 32 (Nunez, 2006) has given the Air Resources Board (ARB) vast administrative authority regarding air quality enforcement. The ARB is actively developing in 2012, a requirement for commercial waste generators to participate in recycling. Policymakers should leave the decision-making at the local level for what the source separated materials include, as markets vary widely throughout the state. Additionally, Local Enforcement Agencies (LEA) responsibilities may soon include enforcement to prevent the illegal dumping of solid waste and the abatement of illegal dumping of solid waste. The LEA for Stanislaus County is the Waste Board. Stanislaus County would not want to give up local control of this program without an assurance that the program would be maintained at the current level or greater.

Action: Oppose these revisions to recycling requirements without the appropriate clarifications. Oppose the transition of the responsibilities from the County to the Waste Board without appropriate program assurances.

9. **Extended Producer Responsibility**

Issue: Local jurisdictions are shouldering an ever-increasing cost for the disposal of "Universal Wastes," which are toxic and hazardous substances such as batteries, pharmaceuticals, and fluorescent tubes that are banned from the landfill but have no other convenient disposal method. Presently, local governments are paying an ever-increasing cost for disposal of Universal Wastes, while the manufacturers and distributors of these items reap the profits, but share no burden or responsibility for costly disposal when the items are discarded. Extended Producer Responsibility (EPR) legislation would place the responsibility for free and convenient disposal of these and other problematic products back on the manufacturers and remove this cost and logistical burden from local governments.



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The California Integrated Waste Management Board recently adopted Strategic Directive No. 5 seeking to establish legislation supporting “cradle to cradle” producer responsibility and analyzing various approaches to EPR. Legislation was introduced in 2009 on this subject, but the measures were not approved by the Legislature. Legislators are expected to re-introduce EPR bills in 2012.

Action: Support legislation that implements EPR principles and removes the cost burden for disposal of products containing Universal Wastes from local governments.

10. Cap and Trade

Issue: The California Air Resources Board has approved regulations that negatively impact the Stanislaus County Waste from Energy Facility. Inclusion of the County's solid waste program in the cap and trade regulations will be costly to the County.

Action: Support any changes in the cap and trade program that benefit the Stanislaus County solid waste program.

11. Increasing the Diversion Mandate to 75%

Issue/Concern: This is currently being proposed in AB 341 (Chesbro) as amended on May 5, 2011. First, the new target percentage needs to be kept at nothing more than a statewide goal vs. a mandate, but the bill also contains other troubling provisions, as follows: a) The legislation proposes that CalRecycle “ensure” that 75% of all waste “generated is source reduced, recycled or composted” vs. being diverted from disposal as currently required in statute. This language limits the choices of local governments by excluding alternative technologies or other viable alternatives; b) The bill also includes mandatory commercial recycling provisions which is a duplication of efforts already underway by State agencies; (i.e., unnecessary); and c) The bill proposes to eliminate Local Task Force review and input of certain solid waste management planning documents. Like most counties, Stanislaus County has a long-standing Local Task Force and their review/input process is an effective means for providing local input.

Action: Oppose legislation which seeks to increase the diversion rate mandate and oppose similar negative actions as listed above.

12. Restricting Waste Flow

Issue: AB 1178 (Ma) was introduced in 2011 which would limit or remove local government’s ability to apply restrictions on imported waste. Limiting local government’s



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powers could weaken the ability to protect local interests, public health and safety and the environment.

Action: Support local government ability to retain the ability to retain local control of restrictions on imported waste. Oppose AB 1178 (Ma).

13. Draft Industrial Storm Water Permit

Issue: The State Water Resources Control Board (SWRCB) is revising the Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for the Discharge of Storm Water Associated with Industrial Activities (Industrial General Permit or IGP); the category of which landfills fall into. The County supports the implementation of storm water quality improvement measures that are cost-effective and practical. The January 28, 2011 proposed IGP, however, does not meet these objectives. It would also place an undue hardship on the financial and technical resources of local governments at a time when they can least afford it.

Action: Monitor the activities at the SWRCB regarding the industrial permit for stormwater. Advocate for fair, cost-effective regulations to be included in this permit. Actively oppose the inclusion of permit regulations which are burdensome or costly to implement.



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Health Services Agency

Contact: Mary Ann Lee, Managing Director
(209) 558-7163

1. Certified Public Expenditures

Issue: Despite the fact there has been passage of AB 959 (2006), it still has not been approved by the federal government and implemented. If and when implemented, AB 959 would expand the provisions of current law to allow Stanislaus County access to funds available for non-hospital based clinic services and provide supplemental Medi-Cal reimbursements for Stanislaus County's non-Federally Qualified Health Center outpatient clinic services.

Action: Advocate for the implementation of AB 959.

2. Non-categorical Funding for Mandates

Issue: Infrastructure is required for emergency preparedness. Stanislaus County needs financial resources to enhance the Public Health Lab for active surveillance, for pre-event mandates from the State and Federal Governments, and for any major disaster or disease pandemic.

Action: Support State and Federal legislation for non-categorical funding to address individual County issues and mandates (e.g., pandemic flu, emerging diseases, smallpox pre-event vaccination plan). Support adequate funding for counties like Stanislaus that will serve displaced residents in the event of an emergency that displaces large numbers of Californians.

3. Funding for Public Health Services, Infrastructure and Workforce

Issue: In the absence of adequate funding through Realignment, there are few funds to provide for Public Health infrastructure, chronic disease prevention, communicable disease data collection and community health efforts.

Action: Support legislation to assure the funding and infrastructure needs of the county's Public Health Services. Monitor any legislation or administrative policy change that alters realignment funds. Also, monitor health reform to ensure public health needs are adequately and appropriately addressed with appropriate funding to carry out mandates and responsibilities.



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4. Improved Efficiency and Effectiveness in Public Health

Issue: There are administrative and program policies which result in costly administration and services delivery for both the State and the counties. Two specific examples include individual contracts for each scope of work rather than a consolidated contract, and California Children's Services (CCS) program model.

Action: Support legislation and administrative policy change which improves efficiency and preserves quality and effectiveness. Support changes to the CCS system which more closely aligns spending authority with funding and risk exposure, and which provides service delivery in the most cost effective manner. Closely monitor Phase II realignment, which proposes realignment of CCS to the State.

5. Expanded Access to Healthcare with Adequate Funding, Efficiency and Quality Improvement

Issue: There is need for policy and administrative change to expand access to health care services in California and which adequately provides funding for the providers of healthcare. Strategic policy change would invest in prevention and outpatient care, support efficient and effective utilization management, and which in aggregate would reduce the exposure to the more costly inpatient and emergency room care.

Action: Support state and federal healthcare policy change which would expand access to medical care in a manner which does not financially impact Stanislaus County in a negative way. Negative impacts could include unfunded or under-funded mandates or reallocation of existing Stanislaus County funding that increases County general fund obligation. Also support infrastructure, funding, and reimbursement policy for telemedicine and other forms of appropriate healthcare. Also, support appropriate reimbursement for email or telephonic consultation, and group visits.

In health reform solutions, the safety net care system needs adequate funding, public health needs to be adequately and appropriately addressed with appropriate funding, and workforce capacity must be addressed. Reimbursement related policy change should include same day outpatient visits in the Medi-Cal system, Patient Centered Medical Home support, Prospective Payment System for Federally Qualified Health Centers serving the Healthy Families population, telemedicine infrastructure and operational support, and group visit reimbursement. Other administrative changes should include appropriate utilization management which supports quality and avoids ineffective administratively burdensome controls.



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6. **Health Professional Shortages**

Issue: There is a regional shortage of physicians, nurses and allied health personnel in the San Joaquin Valley.

Action: Support budget, legislative or administrative action to provide funding for health professional training and/or recruitment to increase access to healthcare for residents of the San Joaquin Valley, including support of the proposed UC Merced Medical School and adequate funding for physician graduate medical education.

7. **Information Technology**

Issue: There is a need for improved information technology in the outpatient clinic setting and in public health. Such technology will add efficiency and create opportunities for improved quality and health outcomes.

Action: Support legislation and/or administrative action which provide funding or other incentives to finance or make financially feasible information technology infrastructure improvements for outpatient clinics, pharmacies and public health.

8. **Pre-Hospital Emergency Medical Care System Improvement**

Issue: There is a need for improved infrastructure and funding for the pre-hospital emergency medical services administration, training and operations/services at the county level.

Action: Support legislation and/or administrative action which provide funding for infrastructure improvement, training, emergency preparedness and operations, and which support the unique and growing needs at the local level.



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Planning and Community Development

Contact: Kirk Ford, Director
(209) 525-6330

1. Williamson Act Funding

Issue: The Williamson Act subvention from the State of California has experienced significant cuts and near elimination.

Action: Support budget, legislative or administrative action that would assist in greater funding or full funding of the Williamson Act. Support legislation in the near-term which grants counties the ability to use alternative methods to recover lost subventions, while simultaneously pursuing restored funding to the Act through the budget process.

2. Williamson Act

Issue: SB 1265 is set to expire in 2015.

Action: If appropriate, support budget, legislative or administrative action that would assist in extending the benefit of SB 1265 beyond its current expiration date.

3. Williamson Act Reform

Issue: Several years ago landowners were able to sign up for the Williamson Act without regard to a minimum parcel requirement. There is a minimum parcel size for lands to be enrolled; ten acres for “prime land” and 40 acres for “non-prime land.” The county has several parcels that do not meet the 10 acre minimum size and derive no benefit from the contract, which results in problems and possible breaches of the Act.

Action: Seek an amendment to the Williamson Act which would provide that any property less than 10 acres which is under Williamson Act contract and has not had any monetary benefit from the contract for ten years be allowed out of the contract without penalty. Allow cancellation for non-compliant parcels and direct the cancellation fees to the County.

4. Protection of Redevelopment Funds

Issue: The 2010-2011 Budget took an estimated \$1.7 billion in redevelopment agency (RDA) funds throughout the State. This represents a loss of over \$13 million to all of the County’s redevelopment agencies (\$2.8 million from the County directly.) An additional



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\$2.8 million will be taken in 2011-2012 from the Stanislaus County RDA if the State Supreme Court upholds the most recent legislation (ABx1 26 and ABx1 27)

Action: Support legislation and a balanced budget that does not require additional state acquisition of local Redevelopment funds. Support legislation or initiative action that permanently protects local redevelopment funds from future state raids or proposed elimination. Oppose budget proposals which require transfers from local Redevelopment funds to the State.

5. Delay Future Required Updates to Housing Elements

Issue: State law requires local governments periodically review and revise housing elements every five to eight years depending on certain criteria effecting each local government. The process for obtaining certification of a housing element from the California Department of Housing and Community Development (HCD) is very time intensive and costly to local governments. In light of the current economic downturn impacting California, and more specifically the Central Valley, the need to provide new housing to accommodate increasing populations has greatly diminished and the affordability of existing housing has greatly increased.

Action: Support legislation delaying the next revision date to a local government's housing element. Support legislation to revise housing element requirements in an effort to streamline the revision process. Support legislation to eliminate or restrict HCD's role in the housing element certification process.



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Probation

Contact: Jill Silva, Interim Chief Probation Officer
(209) 525-5400

1. Construction of Juvenile Commitment Facility

Issue: County has received approval from the State of California to construct a 60-bed Juvenile Commitment Center funded by SB 81, the 2007 Local Youthful Offender Rehabilitation Facilities Construction Financing Program.

Action: Support budget, legislative or administrative actions to ensure the successful completion of the Juvenile Commitment Center.



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Public Works

Contact: Matt Machado, Director
(209) 525-4153

1. Seventh Street Bridge

Issue: The Seventh Street Bridge was constructed in 1916. It has the lowest bridge rating in Stanislaus County and according to Caltrans District 10, is the lowest rated bridge in the 8 County District. The bridge has major structural deficiencies such as alkali silica reaction deteriorating the concrete, large deflections between cantilevered members in the bridge deck, and exposed and rusting reinforcing steel. The bridge has been weight restricted since the mid 1930s. The bridge carries over 14,000 cars per day and is a major link between the south side of Modesto and downtown Modesto.

Action: Seek and support design, engineering and construction funding to repair this bridge as it is a vital link between south Modesto and downtown Modesto. Also, support any budget, legislative or administrative action that would assist in the completion of this project.

2. McHenry Corridor – Ladd Road to San Joaquin County Line

Issue: McHenry Avenue serves as a primary north/south transportation roadway and corridor for County residents. It is projected that the roadway will reach capacity in 2018. The County is planning a widening project to increase capacity but requires funding from both local Public Facilities Fees and the State Transportation Improvement Program (STIP).

Action: Seek funding through the California Transportation Commission and advocate for Stanislaus County projects to be strategically positioned to draw down state and federal transportation dollars for this project as they become available through various funding sources.

3. Kiernan Ave / Route 219 Interchange Reconstruction at SR-99

Issue: The interchange of SR 99 and SR 219 (Kiernan Avenue) is a highly traveled, narrow diamond interchange providing regional access to Salida, Riverbank, Oakdale and Modesto. During peak traffic hours, the interchange operates at a high level of service. Traffic volumes will increase and congestion will continue to occur. In addition, the southbound ramps and SR 99 mainline experience higher-than-state-average volumes for accidents on similar facilities. The project has concept approval from CalTrans and is currently in the



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environmental phase. The design phase is anticipated to begin in the fall of 2012 with construction to begin in 2013, if funding is received.

Action: Seek funding through the California Transportation Commission and advocate for Stanislaus County projects to be strategically positioned to draw down state and federal transportation dollars for this project as they become available through stimulus or bond fund grants.

4. West Main Street Widening Project

Issue: West Main Street is a primary east/west traffic roadway and corridor for County residents between Turlock and Patterson. West Main Street needs widening from the San Joaquin River to Crows Landing Road to accommodate high traffic volumes and to provide additional future road capacity.

Action: Seek funding through the California Transportation Commission and advocate for Stanislaus County projects to be strategically positioned to draw down state and federal transportation dollars for this project as they become available through various funding sources.

5. Infrastructure Funding

Issue: The State has continually borrowed against, deferred and taken local roads, transit and other infrastructure funds to help manage State budget problems.

Action: Oppose any legislative or agency action that would not fully provide local road funds include HUTA, Prop 42, Prop 1B and other related monies.

6. Stormwater Regulations

Issue: The State Water Resources Control Board controls and periodically changes permit requirements for Small MS4s (Municipal Separate Storm Water Systems).

Action: Support storm water and urban runoff regulation which cost-effectively protects the environment and local community. Oppose new regulations which create unfunded mandates, are not cost-effective or place an undue financial burden on the local community.



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7. Transit Allowable Revenue

Issue: Some transit revenues, primarily advertising revenues, are collected as part of transit operations but are not currently allowable as farebox recovery.

Action: Support legislation that would allow certain additional transit revenues, including advertising revenue, to be allowable as farebox recovery.



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Stanislaus County Federal Legislative Agenda for FY 2012-2013

Project Funding:

Orestimba Creek Flood Control, West Stanislaus County: \$1.3 million

In Fiscal Year 2012-2013, the U.S. Army Corps of Engineers will use funds to complete the feasibility phase and to continue pre-construction engineering and design phase and complete award of geotechnical and survey contracts.

Stanislaus County Public Safety Radio Interoperability: \$6 million

Stanislaus County representatives are seeking \$6 million in funding to help obtain public safety communications equipment for regional law enforcement and homeland security needs. The requested funding would assist in building an interoperable radio solution for the Highway 99 corridor from Modesto to Turlock. Funding will be used to purchase and install equipment for three (3) P-25 linear trunking repeater sites in Modesto, one (1) in Ceres and one (1) in Turlock and to replace twenty-three (23) 911 call center consoles with P25 capable systems. The consoles would be in the Stanislaus Regional 9-1-1 center, Ceres, Turlock and California State University, Stanislaus.

Tuolumne River Regional Park (TRRP): \$1.8 million

\$1,800,000 will provide for development of a two-lane access road in the TRRP Gateway Parcel including a Finding of Conformance to the existing Master Environmental Impact Report (MEIR), creation of Construction Documents and construction of approximately 2,300 feet of local access roadway within the Gateway Parcel, gateway connection to 10th Street and a Pedestrian Bridge over Dry Creek.

North Valley Regional Recycled Water Program (NVRWP): \$25 million

Stanislaus County, the Cities of Modesto, Turlock, and Ceres, and the Del Puerto Water District are seeking an initial \$25 million in funding to develop and establish the North Valley Regional Recycled Water Program (NVRWP). The total estimated cost for all program projects is \$349.1 million. Funding would allow NVRWP the ability to provide 32,900 acre-feet per year of recycled water to the drought-impacted west side of Stanislaus and San Joaquin Counties. This provides enough water to irrigate 10,966 acres of prime agricultural land, restore 572 jobs, generate \$29 million in total annual income, and provide \$67.5 million in total annual economic output to an area with a 17.2% unemployment rate.



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Federal Policy Items 2012

(not in rank order)

Public Safety Radio Operability/Interoperability

➤ Stanislaus County continues to work collaboratively in a regional approach to public safety radio operability and interoperability. Support any efforts that expand Stanislaus County's ability to apply for grant funding to develop interoperable communications.

Energy from Waste – alternative energy

➤ Energy-from-waste is a renewable energy source that needs appropriate inclusion and recognition in legislation. Stanislaus County operates an extremely environmentally clean energy-from-waste plant that diverts more than 50% of waste from the landfill into the plant. The County is very concerned with legislative attempts to revise the definition of a solid waste facility. The House passed legislation in 2009 that included a Renewable Energy Standard (RES) as well as a Green House Gas cap and trade program. The House bill limits Stanislaus County's ability to participate fully in the RES. There are five criteria that energy-from-waste plants must meet to be a "qualified" waste-to-energy generator in the RES. One of these criteria allows only the non-fossil biogenic portion of the waste stream to qualify as renewable. This would mean that only two thirds of Stanislaus' waste would qualify as renewable and receive a higher value for the electricity. Ensure that any new definition of renewable energy includes the energy-from-waste facility and that energy-from-waste appears in any renewable energy standard. Support legislation to give energy-from-waste a full renewable energy credit in the Renewable Energy Standard.

Water recycling

➤ Water is a scarce but vital resource to the central valley. Support any appropriate legislative, agency, executive or other action that would promote the advancement and completion of the North Valley Regional Recycled Water Project.

Bridges

➤ There is not sufficient funding to maintain and improve bridges in Stanislaus County. Support any legislative or executive action to provide funding for building, repairing, upgrading and maintaining bridges in Stanislaus County. Oppose efforts to dilute funding for bridges.

Child Support Services

➤ Support increasing federal funding to Stanislaus County for Child Support Services.
➤ Restore the authority for performance-based incentives to be used as match for federal financial participation. This was eliminated in the Deficit Reduction Act of 2005.



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- Support S.1383 which would add a sixth federal performance measure along with twelve recommendations for new revenue sources.

Roads and transportation

- There is not sufficient funding to maintain and improve the roads and transportation system in Stanislaus County. Support any legislative or executive action to provide funding for building, repairing, upgrading and maintaining the roads and transportation network in Stanislaus County.

Levees and flood control

- There is not sufficient funding to maintain and improve the levee and flood control system in Stanislaus County. Support any legislative or executive action to provide funding for building, repairing, upgrading and maintaining the levee and flood control system in Stanislaus County.

City/County Islands

- Stanislaus County has identified more than 25 city/county islands that have infrastructure needs. The County is working with the City of Modesto to create a strategy for continuing to improve infrastructure in these islands. Support any efforts that would support the County's attempt to improve infrastructure in these areas.

Health Services Agency

- The Stanislaus County Health Services Agency is critical to the healthcare infrastructure of Stanislaus County. Agency staff provide over 240,000 outpatient clinic visits each year. The county has received the Federally Qualified Health Center designation from the Centers for Medicare and Medicaid Services (CMS) which will help to preserve health access in the community. Protect access to federal funding that will support the provision of healthcare to the underserved community.

Valley Family Medicine Residency Program

- Physician training is vital to helping with the disproportionately low share of physicians per capita in the valley. Support additional funding for the residency program through various funding sources.

Behavioral Health Recovery Services

- Behavioral health services continue to be under-funded at the federal and state levels. Support efforts to provide adequate funding for behavioral health needs in Stanislaus County.



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Women, Infants and Children's (WIC) program

➤ The Special Supplemental Nutrition Program for Women, Infants, and Children, (WIC) has improved at-risk children's health, growth and development, and prevented nutrition-related and other health problems for over 35 years. The program is authorized for fiscal year 2012. WIC children enter school ready to learn, showing better cognitive performance. WIC also improves the health of at-risk mothers during pregnancy and helps to rebuild nutrient stores after birth. Oppose funding cuts which could deprive vulnerable young children the opportunity of a healthy start on life, take away purchasing power in local economies, and increase long-term healthcare costs.

Subsidized Employment Programs

➤ Unemployment levels in Stanislaus County continue to be some of the highest in the nation. Support job creation through appropriate work and educational opportunities for unemployed workers, those who can't qualify for unemployment benefits, and other disadvantaged individuals.