# PLACER COUNTY 2005 LEGISLATIVE/REGULATORY PLATFORM





Snow Removal at Tahoe

#### **Prepared by the County Executive Office**

Approved by the Board of Supervisors December 7, 2004

## PLACER COUNTY 2005 LEGISLATIVE/REGULATORY PLATFORM Part One General Principles

The primary goal of the County's elected representatives and its employees is to serve and support the social, economic, health, safety and well being of its citizens. To this end, in 2005, the Placer County Board of Supervisors supports the following general principles. County staff, including the County's legislative advocates, will apply these general principles to evaluate legislation and other proposals, and make recommendations to the Board of Supervisors.

- **1.** 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.
- **2.** Support legislation to assure Placer County's authority to govern itself and oppose legislation that will hinder or limit the County's self-rule authority.
- **3.** Support efforts to continue the fiscal reform efforts, begun in Proposition 1A, to assure Placer County the financial independence necessary to provide services to its residents and meet its mandated responsibilities.
- **4.** Oppose federal mandates without revenue, and in keeping with the provisions of Proposition 1A, oppose the transfer of state programs to the County, unless adequate on-going revenues are provided.
- **5.** Support increased state and federal appropriations for County mandated programs, including capital acquisition costs.
- **6.** Support legislation that provides tax and funding formulas for the equitable distribution of state and federal monies while opposing attempts to decrease, restrict or eliminate County revenue sources.
- **7.** Support the County's authority to assure mutually acceptable tax sharing agreements for annexation, incorporation and redevelopment that protect or enhance the County's ability to provide services to its constituents.
- **8.** Continue to encourage local agencies and governments to cooperate for the betterment of the community and encourage, and expand, voluntary regional solutions to regional problems.
- **9.** Encourage and seek legislation that protects the County's quality of life, its diverse natural resources, and preserves the essence and history of the County.
- **10.** Seek cooperation with the state and federal government, on regulatory and administrative issues affecting the County, to ensure the protection and well being of its citizens.

## PLACER COUNTY 2005 LEGISLATIVE/REGULATORY PLATFORM Part Two State Proposals

#### **Agricultural Commissioner**

#### **Proposal: Continued Support for Williamson Act**

Passed in 1971, the Williamson Act is a property tax exemption designed to keep agricultural and open space land free of development and give local governments a tool to use in implementing land use planning goals. The Act provides financial recovery to local jurisdictions that approve Williamson Act contracts.

**Problem:** There is great concern that the State may attempt to discontinue the Williamson Act Program and the local government reimbursement that is currently used to supplement the property tax exemption for contracted Williamson Act lands.

## Proposal: Watershed Funding for Nonpoint Source Pollution Monitoring for Agricultural Discharges

State funding should be appropriated to develop a science-based water quality-monitoring program based upon a watershed approach. The overall water quality within a watershed is directly related to the activities of all parties within the watershed, not farmers and ranchers exclusively.

**Problem:** The State's Regional Water Quality Control Board has eliminated the exemption for agricultural discharges and is requiring farmers and ranchers to file for individual discharge permits or be included under the permit of a watershed group. The added regulatory burden for agriculture users ignores the relatively minor effect of many agricultural operations.

## Proposal: Continuation of Funding for Pesticide Use Enforcement, High-Risk Pest Exclusion, and Pierce's Disease/Glassy-Winged Sharpshooter Programs

Support legislation or budget proposals that continue to provide state funding for County pesticide use enforcement, high-risk pest exclusion, and Pierce's Disease/Glassy-Winged Sharpshooter programs.

**Problem:** These programs are all critical to the County's agricultural industry. In order to maintain the quality of the pesticide regulatory system, it is essential to preserve funding for these programs that are experiencing critical financial shortfalls.

#### **Child Support Services**

#### **Proposal: Federal Automation Penalties**

Support legislation that relieves counties of the fiscal responsibility for federal automation penalties imposed on the State for failure to comply with the federal requirements of the 1988 Family Support Act. Oppose any attempt by the State to pass on penalties to the counties.

**Problem:** Federal fiscal penalties were levied against California totaling \$220 million for 2004-05. For this year, the penalties have been waived. Counties are not responsible for the State's failure to implement a single, statewide-automated child support collection system (by Oct. 1, 1997) as required in the federal guidelines of the 1988 Family Support Act. Monetary penalties imposed by the federal government will continue until California is in full compliance. The State is requiring counties to fund these penalties with county general fund dollars, not funds from the child support program. Placer County's share of the statewide penalties for FY 03-04 exceeded \$450,000.

#### **County Executive Office**

#### **Proposal: Placer County's Housing Needs**

Continue to support incentive-based legislation that meets Placer County's housing needs: recognizing the unique characteristics of the region, providing for local land use control and flexibility, and the funding options required to provide the housing.

**Problem:** In 2004, the Governor vetoed voluntary, incentive-based legislation (AB 1426) that would have provided \$1 million in grants to the SACOG region for affordable housing.

#### **Proposal: Community Development/Rural Housing Assistance**

Seek to amend state statutes related to allocation of Community Development Block Grants (CDBG) and rural housing programs to reflect the unique characteristics in Placer County. Initiate action with relevant state agencies, as well the Tahoe Regional Planning Agency (TRPA), to ease restrictions that hinder efforts to meet the demands for employee housing and affordable housing goals, in general.

**Problem:** Various state and federal statutes and implementation policies inhibit the ability of Placer County to maximize the use of monies designated to expand affordable housing in rural areas. In particular, due to the unique circumstances that exist in Lake Tahoe (bi-state, multi-jurisdictional resort area), these statutes and implementation policies are particularly challenging to meet and they create obstacles to providing employee and other affordable housing in Placer County, particularly in the Tahoe area.

#### **County Executive Office, Cont.**

#### **Proposal: California Performance Review (CPR)**

Carefully monitor the California Performance Review's program, policy, and finance proposals. And, evaluate CPR's impact on Placer County so that the Board of Supervisors may determine the County's position and action to be taken on these proposals.

**Problem:** Upon the instruction of Governor Schwarzenegger, a panel of government policy and financial experts reviewed the operations of the State of California's government and made a number of recommendations to improve the performance of State government. The recommendations made in the CPR are expected to be the basis of statutory and budgetary proposals, as well as Executive Orders submitted by the Governor to the Legislature. Many of these proposals, if implemented, will impact Placer County programs, policies and finances.

#### **Proposal: Workers' Compensation Reform**

Support Workers' Compensation Reform legislation that requires a pre-injury wage for inmates to be eligible for temporary disability under the State Workers' Compensation labor code.

**Problem:** As a result of new legislation, effective January 1, 2003, inmates on work release, work furlough, minimum security and trustees; as well as volunteers, jurors, and community service workers, who are not paid by the County and did not have paid employment prior to an injury, are now entitled to the minimum temporary disability rate of \$126 per week.

#### **Facilities**

#### **Proposal: Collection of Fees**

Amend current statutes to allow the collection of delinquent garbage and utility bills on the property tax statements.

**Problem:** A few years ago, the Second District Court of Appeals issued an opinion finding an ordinance authorizing liens for delinquent utility bills to be unconstitutional. While liens may not be possible, a statute could authorize the collection of current and delinquent charges as part of the property tax bill.

#### **Proposal: Design-Build Concept for County Buildings**

Continue to support legislation to add Placer County as a county eligible to use the design-build concept for county buildings. This authority would provide for potential cost savings and reduce the timeframe for county construction projects.

**Problem:** In 2004, Assemblyman Leslie authored legislation (AB 2438) that was designed to add Placer County to the list of counties who are currently eligible to use the design/build process of constructing projects as an alternative to the contractor – low bidder process. The bill did not gain approval in the Assembly. Placer contractors and unions have indicated support of the design-build process, with the appropriate safeguards, for the local contractors and workers.

#### **Health & Human Services**

#### **Proposal: Mental Health Services for Students with Emotional Disturbances**

Support initiatives and/or legislation to provide adequate funding for Mental Health Services for students with emotional disturbances in accordance with AB 3632, Individual Educational Plans.

**Problem:** The State and Federal government, in order to provide mental health assessment and treatment services for this population, mandates these county mental health programs. Counties are required to advance funding for these services and recoup funding through the State's mandate reimbursement process. Placer County currently expends approximately \$1.8 million annually for these services while receiving only fifty percent (federal) of the reimbursement funding. Program expansion to meet the existing unmet need will require additional funding.

### Proposal: Realignment Funding (Vehicle License Fees & State Sales Tax Revenue)

The existing realignment funding (VLF and state sales tax revenue) structure is inadequate and should be adjusted to allow for realistic increases in program costs. At a minimum, existing realignment revenue must be maintained and counties should be held harmless in their provision of required and necessary services. Funding for critical services (mental health, health and social services) must be identified to avoid further service level impacts.

**Problem:** Realignment was designed as a cost sharing among county, state and federal governments. The realignment funding structure, created approximately 10 years ago, provided a growth fund for a variety of county programs. This funding mechanism has become inadequate due to the growth in counties as well as the increased cost of providing these services. Implementation of the In-Home Supportive Services (IHSS) Public Authority and the potential increases in the IHSS provider wages further exacerbates this problem.

#### **Proposal: Adequate Funding for Child Welfare Services**

Request that the State adequately fund the Child Welfare Services system in order to meet the federal and state requirements of this program. The increased funding should remain as flexible as possible in order to meet the wide range of needs experienced by various counties.

**Problem:** In 2004, counties were required to implement program/system redesign and improvements to meet federal and state requirements. These requirements have been implemented with an inadequate increase in funding for staffing. The Child Welfare Services system continues to be significantly under funded.

#### **Library**

#### **Proposal: Support the Library Construction Bond Act of 2006**

Support the "California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006" (SB 1161), approved by the Governor in 2004. The Bond Act, to be placed on the March 2006 ballot, authorizes \$600 million of state general obligation bond funds to construct and improve public library facilities.

**Problem:** In March 2000, state voters approved the "Library Bond Act of 2000" that authorized \$350 million for public library construction. The request for funds (\$586 million) for the remaining allocation (\$77 million) exceeds the available funding. Placer County requires a portion of state library bond money to meets its library capital needs.

#### **Personnel**

#### **Proposal: Contracting Agency Contribution Requirements**

Allow Placer County to maintain local control to contract with their bargaining groups for County employees and retirees, regarding premium contribution formulas. Allow Placer County to construct a tiered system that could apply to both current employees as well as future employees.

**Problem:** Current law limits public agencies, which contract with CalPERS for health insurance under the Public Employees Medical Care and Hospital Act (PEMCHA), to a limited number of options to pay for the retiree premium contribution. Depending upon the option chosen to pay for the retiree insurance, this can cause an economic hardship to the agency providing benefits and/or creates a two-tier system for employee/retiree benefits. Current law limits the options to a local agency.

#### <u>Planning</u>

## Proposal: Funding and Support to Preserve and Enhance Agricultural Lands and Open Space, Restore and Protect Natural Communities and Implement Watershed Protection Efforts

Support legislation that advances the objectives of the *Placer Legacy* program to protect open space in the County and to sustain agriculture as a key industry.

**Problem:** The pressures of urban development have an effect on the amount of land dedicated to open space and agriculture. With an increase in urbanization, more agricultural lands and natural communities will be lost resulting in a decrease in biological diversity, agricultural production, scenic landscapes, outdoor recreational opportunities, and the general open character of the County's landscape. To counterbalance these impacts, the *Placer Legacy* program was established as a proactive, long range, comprehensive strategy for protecting open space and agricultural lands in the County in order to enhance the quality of life and sustain agriculture as a viable part of our area's economy.

#### **Public Safety**

## Proposal: Appropriations for COPS, Juvenile Justice, and Rural Law Enforcement

Support the continued full funding of Community Oriented Policing Services (COPS), Juvenile Justice Crime Prevention (JJCPA), Standards in Training for Corrections (STC), the Mentally Ill Offender Crime Reduction grant, (MIOCR) and the Rural Law Enforcement programs.

**Problem:** Placer County benefits greatly from State appropriations for these programs. Each year, the Legislative Analyst has recommended that these programs be discontinued.

#### **Proposal: Continuation of Temporary Assistance for Needy Families (TANF)**

Support legislation and/or budget proposals to maintain and increase TANF funding for Probation services to minors and their families.

**Problem:** Probation departments throughout the State increased California's block grant from federal TANF funds by filing claims for emergency services to minors through Title IV-A of the Social Security Act (CYSA). The Governor's 2004-05 Proposed Budget recommended a \$134 million reduction in TANF funding to Probation (approximately two-thirds of the TANF allocation), effectively phasing out the programs by October 31, 2004. The 2004-05 State adopted budget replaced the \$134 million federal TANF funding with General Fund monies. It is unclear how these vital local services will be funded in 2005-06.

#### **Proposal: Reprioritize Reimbursement of Probation Costs**

Support legislation to amend the statute passed in AB 3000 to reprioritize the reimbursement of probation costs by offenders to a higher priority.

**Problem:** AB 3000, passed in 2002, established a priority order for payments made by defendants relative to their criminal case. The first three priorities are payment of:

- 1) Restitution to the victim
- 2) 20% state surcharge to fund trial courts
- 3) Fines and penalty assessments

The last priority is payment of other reimbursable costs, which include probation costs.

## PLACER COUNTY 2005 LEGISLATIVE/REGULATORY PLATFORM Part Three Federal Proposals

### <u>Proposal: Additional Funding for a Sub Regional Wastewater Treatment and</u> Water Reclamation Facility

**Problem:** Currently, seven wastewater agencies serve Placer County. These agencies indicate that the population they serve will increase substantially over the next 15 years. Each existing facility faces: 1) Major expansion needs; 2) Increasing stringent federal pollutant permit conditions; and 3) Cost constraints (both capital and operation & maintenance). The regional design will accommodate projected growth well into the future and provide significant environmental benefits to receiving waters throughout the region, including the Bay-Delta ecosystem. This project was authorized in the 2003 Reauthorization of the Water Resources Development Act.

## <u>Proposal: Funding and Support to Preserve and Enhance Agricultural Lands and Open Space, Restore and Protect Natural Communities, and Implement Watershed Protection Efforts</u>

**Problem:** Placer County continues to be one of the fastest growing counties in California. The pressures of urban development have an effect on the amount of land dedicated to open space and agriculture production. With an increase in urbanization, more open space and agricultural land will be lost resulting in a decrease in biological diversity, agricultural production, scenic landscapes, outdoor recreational opportunities, and the general open character of the County's landscape. To counterbalance these impacts, the *Placer Legacy* program was established in 2000 as a proactive, long range, comprehensive strategy for protecting open space and agricultural lands in the County. Federal assistance would be used to expand public outreach, education, and to complete land acquisitions and easements from willing sellers. Federal funding would, also, be used to continue the development of a clearinghouse of local land use and natural resources data into a computer-based geographic information system (GIS) for use by a wide range of public and private sector stakeholders.

## <u>Proposal: Continued Funding for Law Enforcement Technology and Telecommunication Needs</u>

**Problem:** Communications equipment currently used by law enforcement and other public safety officials in the County is outdated, unreliable, has limited functionality and interoperability, and is becoming increasingly difficult and costly to maintain. In addition, the current system does not comply with Project 25 (Federal Communications Commission equipment standards providing greater public safety interoperability). Continued federal funding is critical to implement a countywide, multi-site, VHF, Project 25 compliant, digital trunking network solution to effectively respond to an emergency or terrorist activity that crosses multi-jurisdictional boundaries.

### <u>Proposal: Continued Funding for a Children's Health Center/Emergency Shelter</u>

**Problem:** A Children's Health Center/Emergency Shelter is needed in the County for children who are removed from their families for protection from abuse or neglect, or for children who have failed other placements ranging from foster care to intensive high-level group homes. It is, also, planned to include a mental health/behavioral health housing area. Continued funding is needed for development and construction of the facility. In addition to emergency shelter care, on-site medical facilities to conduct primary health screenings and examinations for the emergency shelter population as well as selected minor cases that require more sensitive handling will be included. A multi-disciplinary interview center for forensic investigations and a supervised visitation/parent education center are also envisioned.

#### **Proposal: Funding for Transportation Improvements**

#### **Problem: Interstate 80 Capacity Improvements**

The County's rapid growth in recent years makes the need for road funding critical. The Interstate 80 Capacity Improvement Project is the region's top priority for funding under the 2004 TEA Reauthorization. I-80 is the region's primary freight travel route and is also the principal connection between populous urban areas in Sacramento and the Bay Area to Lake Tahoe and Reno. Congestion in this section of interstate from the Sacramento County line to Highway 65 is growing daily. There are more delays and accidents due to increased usage by local, regional and interstate traffic. Caltrans and Sacramento County have recently completed construction of high occupancy vehicle (HOV) lanes and auxiliary lanes to improve highway capacity and traffic flow. The project extends to the Placer County line but should be extended further to increase freeway capacity in Placer County and relieve the current "bottleneck" (narrows from 10 to 6 lanes). Caltrans strongly supports this regional project. Preliminary engineering and environmental documents are complete to allow for construction to begin in 2007.

#### **Problem: Auburn-Folsom Road Widening**

The construction of Auburn-Folsom Road was a part of the original Federal Folsom Dam Project and was designed as a rural two-lane road. Due to regional growth in the counties of Placer, Sacramento and El Dorado, today it serves as a major arterial route connecting northern Sacramento County and Folsom with South Placer County, Roseville and Rocklin, The current traffic volumes are exceeding the capacity of the road in Placer County. The construction of the new Folsom Dam Bridge and reopening of the relocated Dam Road will also fuel this increase in traffic. The two-mile project section is adjacent to United States Bureau of Reclamation (USBR) land and will restore trail connectivity to the USBR property and associated trails systems currently hampered due to increasing traffic on Auburn-Folsom Road. Funding, through USBR, is needed to construct the proposed improvements to meet regional growth demands.

#### **Problem: Walerga Road at Dry Creek Bridge Replacement**

The bridge is located on Walerga Road in western Placer County. Walerga Road is a critical arterial roadway that connects Sacramento County to the City of Roseville. Traffic levels are expected to double in the next 10 years. The existing bridge (126 ft./span) was constructed in 1973 and is frequently covered by floodwaters resulting in road closures. These closures have adverse effects on emergency response and traffic patterns. The proposed project, constructed above the flood plain, would provide for four vehicle lanes and shoulders/bike lanes. In 2002, the County received a Federal Transportation and Community and Systems Preservation (TCSP) Grant to begin the planning and environmental studies necessary to design and upgrade the bridge. This work is in progress. Additional funding, to supplemental local resources, is now needed for the design and construction of the bridge and roadway approaches.

#### Proposal: Funding for Hazardous Materials Clean Up at DeWitt Center

**Problem:** The DeWitt Center was constructed in 1943 as a military hospital during World War II. Construction practices at that time included the use of materials such as asbestos and lead paint, and utilized underground tanks for heating and fuel oil. The 200-acre DeWitt property is now owned by the County and has served as a critical resource for county agencies for many years. The property's redevelopment potential to house government, commercial, and light industrial activity is promising. However, extensive renovation activity, including hazardous material cleanup of asbestos and lead paint, would be required before successful redevelopment could be undertaken. Federal assistance would initially be used to abate and/or remediate the hazardous materials currently on site. The FFY05 House Department of Defense Appropriations Report made note of the important environmental cleanup activities at the DeWitt Center and said that it "expects the Army to provide adequate funding to complete cleanup requirements at this site in a timely manner."

#### Proposal: Increase Advocacy Efforts Related to Community Development/ Rural Housing

**Problem:** Various federal and state statutes and implementation policies inhibit the ability of Placer County to maximize the use of monies designated to expand affordable housing in rural areas. In particular, due to the unique circumstances that exist in Lake Tahoe (bi-state, multi-jurisdictional resort area), these policies are particularly challenging to meet. An easing of restrictions relative to the statutes and policies of Community Development Block Grants and Rural Housing implementation monies would reduce obstacles to providing employees and others affordable housing in Placer County, particularly in the Tahoe area.