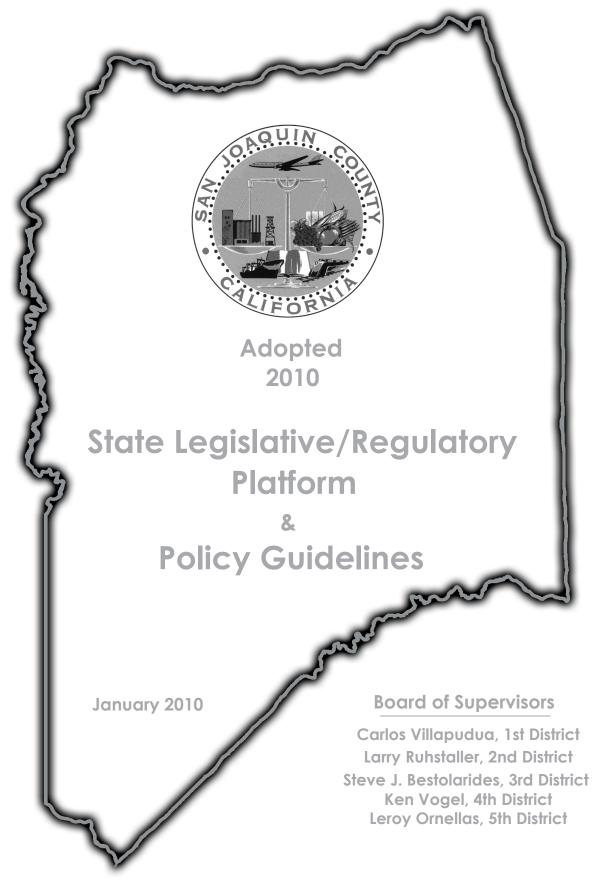
County of San Joaquin



County of San Joaquin Board of Supervisors











Carlos	Villapudua		Chairman,
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District 1

Larry Ruhstaller.....Vice Chairman,

District 2

Steve Bestolarides.....Supervisor,

District 3

Ken Vogel.....Supervisor, District 4

Leroy Ornellas.....Supervisor,

District 5



San Joaquin County Adopted 2010 State Legislative/Regulatory Platform & Policy Guidelines

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San Joaquin County Adopted 2010 State Legislative/Regulatory Platform & Policy Guidelines

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BOARD OF SUPERVISORS

44 N. SAN JOAQUIN STREET, SUITE 627 STOCKTON, CALIFORNIA 95202 TELEPHONE: 209/468-3113 FAX: 209/468-3694

LOIS M. SAHYOUN Clerk of the Board

The Honorable Governor Arnold Schwarzenegger Senator Dave Cogdill Senator Lois Wolk Assembly Member Cathleen Galgiani Assembly Member Bill Berryhill Assembly Member Joan Buchanan Assembly Member Alyson Huber

Dear Governor, Senators, and Assembly Members:

The San Joaquin County Board of Supervisors is pleased to provide you with the County's Legislative Platform for the 2010 legislative session. The San Joaquin Board of Supervisors is painfully aware of the dire financial circumstances facing the State of California and has tailored this platform to fit those circumstances. We have retained legislative and funding requests that the County deems absolutely critical to the health and well being of our residents and shared constituents. We have detailed the County's major legislative policy goals and priorities as they pertain to our relationship with the State of California, even in these difficult times. San Joaquin County remains dedicated to efficiently providing needed public services even though demands for services continue to increase at a much more rapid pace than the revenue needed to provide them.

The County's top legislative priority continues to be the Sacramento-San Joaquin Delta, including flood protection. Delta related legislation passed by the State in November 2009 will impact the County in many ways. San Joaquin County is home to over 40 percent of the Delta therefore, we expect to participate extensively in legislation, regulations, and policies regarding local water rights, water quality and quantity, governance, land use, and flood management relating to the Sacrament-San Joaquin Delta. The County's involvement in the implementation of Delta legislation will be critical to the future of San Joaquin County, and the health of the Delta. Hence, the County will continue to seek close involvement with the Legislature and the Administration in the implementation of 2009 and future Delta legislation. Furthermore, the County continues to seek State Bond funding for the San Joaquin County Lower San Joaquin River Urban Flood Protection Feasibility Study Project, which would provide improved flood protection for existing urban areas in the County. The Platform also includes a Bond funding request for the MORE Water Project, which would provide water soft the Mokelumne River.

As the operator of a general acute care hospital, as well as the provider of clinical care for many residents, San Joaquin County urgently needs assurances of a stable and adequate funding source to meet the health care needs of its residents. Existing funding streams continue to be threatened while mandates to counties to provide services remain. Furthermore, as the State develops administrative

CARLOS VILLAPUDUA Chairman First District

LARRY RUHSTALLER Vice Chairman Second District

> STEVEN BESTOLARIDES Third District

> > KEN VOGEL Fourth District

LEROY ORNELLAS Fifth District and legislative responses to, or implementation plan for any federal healthcare reform, it is imperative that San Joaquin County's health care delivery system not be negatively impacted in policy or financing.

The San Joaquin County Board of Supervisors will continue to advocate for maximum local control and flexibility in the allocation of resources and the administration of County programs, and will continue to oppose any reductions in the current level of State funding for our County programs. Concurrently, as all levels of government continue to reduce expenditures, more flexibility is necessary to maintain a maximum level of service to our shared constituents.

We respectfully request your reference to this document, which has been thoughtfully and carefully crafted, while deliberating and developing legislation in the coming year.

We appreciate your continuing support for the vital services provided by San Joaquin County, and look forward to working with you in 2010. Please contact me, or County Administrator Manuel Lopez, at (209) 468-3203 should you have any questions or need additional information.

Sincerely,

Carlos Villapudua, Chairman San Joaquin County Board of Supervisors

Enclosure

c: Ann Johnston, Mayor, City of Stockton Willie W. Weatherford, Mayor, City of Manteca Brent H. Ives, Mayor, City of Tracy Phil Katzakian, Mayor, City of Lodi Walt Murken, Mayor, City of Escalon Chuck Winn, Mayor, City of Ripon Kristy Sayles, Mayor, City of Lathrop Manuel Lopez, County Administrator Peterson Consulting, State Legislative Advocate International Government Relations, Federal Legislative Advocate County Department Heads



COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

1. <u>Title</u>: Delta Water Solutions

Issue: San Joaquin County supports legislative and regulatory efforts toward a more sustainable water supply approach as developed in the Water Plan for the 21st Century (Central Delta Water Agency) while opposing the development of a Peripheral Canal or a similar isolated water conveyance facility as the solution to the State's water supply needs.

Legislative Platform:

1. Strongly seek and advocate in support of legislation, regulations, policies, budgetary appropriations, and related efforts and activities which would:

- a. Advance San Joaquin County's Delta Legislative Objectives (Pages 11-13), San Joaquin County's Better Way (Appendix A – Pages 101-104), the Delta Counties Coalition Statement of Principles (Page 14), and The California Partnership for San Joaquin Valley Resolution in Support of the Partnership-Sponsored Integrated Regional Water Management Plan Framework (Appendix B – Pages 105-106):
- b. Pursue regional water solutions, and limit exports of water from the Delta to only surplus water.
- c. Support the statewide water right priority system, Delta water rights and quality protection, riparian use, and local control and management of groundwater resources.
- d. Provide that new water supplies be developed through greater conservation, recycling, conjunctive use of ground and surface water, desalinization of brackish and ocean waters, local water storage, water reclamation, and improved management of flood waters for the recharge of over-drafted groundwater basins.
- e. Provide for the development of local and regional water resource management activities, and utilize local water projects for improved conjunctive use, recharge capability, and groundwater storage.
- f. Strengthen Delta levees, including the installation of gates and other facilities, at strategic locations, to improve sustainability of the Delta.

2. Aggressively oppose legislative, regulatory, and administrative efforts (including water plans) which would include the development of a Peripheral Canal or isolated water conveyance facility in the Sacramento-San Joaquin Delta.



COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

Delta Legislative Objectives

1. The specific areas of legislative interests for San Joaquin County are:

A. Water:

1) Water Rights, including, but not limited to, maintenance of common pool of water in the Delta, water rights priorities, area of origin protection;

2) Supply, including, but not limited to, defining Delta quantities and use, diversions; establishing minimum flows into and out of the Delta sufficient for all in-Delta needs; meeting needs for agriculture, species maintenance and enhancement, municipal and industrial operation; increased storage;

- 3) Quality, including, but not limited to, temperature, salinity, turbidity;
- 4) Conveyance: through Delta; no isolated facility.
- B. **Flood Control**, including, but not limited to, urban flood control, channel maintenance, levee maintenance and improvement, flood plain management.
- C. Agricultural economy, including, but not limited to, protection of property rights and tax base.
- D. Infrastructure, including, but not limited to, levee maintenance and improvement.
- E. **Governance**, including local governmental involvement/control of Delta land use, activities and operations.
- F. **Funding**, including, but not limited to, Delta planning and maintenance efforts , habitat protection and maintenance efforts, emergency services, levees, flood control and water projects.
- G. **Mitigation** of all negative effects of actions taken pursuant to any Federal, State, local or other public agency plan, project, operation or activity in or related to the Delta or the County.

2. Potential near term actions to be pursued:

- A. San Joaquin County's "Better Way" approach.
- B. Completion of studies and related plans, projects and activities, including, but not limited to, flood control, Delta flows, salinity, temperature, water quantity and usage, flood plain management.



COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

3. Points for Legislation

- A. Minimum flow quantities and usage in and from the Delta are determined by scientifically validated, peer reviewed studies approved by an appropriate governance body(s) such as Delta Protection Commission (DPC) and/or the Delta Conservancy and/or the Delta Stewardship Council, and incorporated into the Delta Stewardship Council's Delta Plan.
- B. Flood management, including the Central Valley flood plan, are determined by scientifically validated, peer reviewed, studies approved by an appropriate governance body(s) such as DPC and/or the Delta Conservancy and/or the Delta Stewardship Council, and incorporated into the Delta Stewardship Council's Delta Plan.
- C. Delta water inflow and out-flow, temperature, and salinity studies necessary for aquatic and terrestrial species, agriculture, municipal, and industrial use in the Delta and Suisun Marsh are determined by scientifically validated, peer reviewed, studies approved by an appropriate governance body(s) such as DPC and/or the Delta Conservancy and/or the Delta Stewardship Council and incorporated into the Delta Stewardship Council's Delta Plan.
- D. Physical integrity and long term viability of Delta levees with the goal of long term protection of all interests in the Delta, including those which do not pertain to conveyance, is to be determined by scientifically validated, peer reviewed, studies approved by an appropriate governance body(s) such as DPC and/or the Delta Conservancy and/or the Delta Stewardship Council and incorporated into the Delta Stewardship Council's Delta Plan.
- E. Near term actions to improve the quality and quantity of the Delta waters, including, but not limited to, such projects as a proposed Two-Gate Project solution, Delta Corridors, etc., completed and put into operation and results evaluated and incorporated into the Delta Stewardship Council's Delta Plan.
- F. Construction, permitting and operation of storage capacity to create additional 5 million acre feet per year of firm water, surplus to the needs of the Delta, for use in the State Water Project, using a series of off-stream multi-purpose (flood control, ground water recharge, surface storage) reservoirs in the Sacramento and San Joaquin Valleys.
- G. Revise State system of water operations, including:
 - i. appropriate separation of State Agencies' adjudicatory and regulatory authorities so that State Agencies have transparent and independent authority;



COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

Delta Legislative Objectives (continued)

ii. creation of a State entity with utility-like authority and process, for governance of the operation of State Water Project and the Central Valley Project, as appropriate to and consistent with established water rights and area of origin protections;

iii. creation of a water master type of public official appointed by the California Supreme Court to independently inspect State and Federal water facility operations and to independently ensure that those operations are in conformity with existing water rights and priorities, area and watershed of origin law, common pool theory; diversion water from the Delta only in amounts surplus to the needs of the Delta flow, salinity and temperature control necessary for aquatic and terrestrial species. The water master would be sufficiently and continuously funded by the State or State water facility users. The water master would have authority to hire staff, including legal counsel independent of State Attorney General. The water master would have authority to institute legal action in a special 5 member judicial forum having original jurisdiction with de novo hearing process. The special forum would consist of 5 Justices, one each from the 5 California Courts of Appeal, appointed by the Supreme Court.

- H. Any Delta Plan shall be based, at a minimum, on recognition of, adherence to, and enforcement of existing water rights and priorities, area and watershed of origin law, common pool theory; diversion water from the Delta only in amounts surplus to the needs of the Delta; flow, salinity and temperature control necessary for aquatic and terrestrial species; protection of public and private property and infrastructure; continued State participation in maintenance and improvement of Delta levees; maintenance of economic viability of Delta agricultural land and agricultural land use, protection of local governance and County prerogatives, including land use, public revenues, public health and safety, economic development and agricultural stability; Delta as a Place concepts and goals.
- I. Any Delta Conservancy shall adhere to the minimum standards set forth above for any Delta Plan and shall conduct its activities in a manner which supports local agriculture, tourism, economic sustainability, recreation and local governmental control. The State Secretary of Agriculture should be a member of any governing board of such a Conservancy.
- J. Funding in the full amount necessary for water storage and conveyance projects, groundwater recharge projects, flood plain management projects, and flood control projects in the Mokelumne, Calaveras and Stanislaus Rivers watersheds.
- K. Funding in the full amount necessary for emergency response and emergency levee maintenance efforts to deal with threats to the integrity of Delta levees.



Delta Counties Coalition Contra Costa County · Sacramento County · San Joaquin County · Solano County · Yolo County *"Working together on water and Delta issues"*

Statement of Principles Sacramento-San Joaquin River Delta

(2009)

The five counties of the Delta Counties Coalition (DCC) have each adopted the following principles that describe their joint interests on the Sacramento-San Joaquin River Delta and Greater Bay-Delta Estuary. The DCC believes that the management of the Sacramento-San Joaquin River Delta and Greater Bay-Delta Estuary must:

- 1. Protect and improve water quality and water quantity in the Delta region and maintain appropriate Delta outflow for a healthy estuary;
- 2. Protect the existing water right priority system and legislative protections established for the Delta;
- **3.** Respect and safeguard Delta Counties' responsibilities related to land use, water resources, flood management, tax revenues, public health and safety, economic development, agricultural stability, recreation, and environmental protection in any new Delta governance structures;
- 4. Represent and include local government in any new governance structures for the Delta;
- 5. Protect the economic viability of agriculture and the ongoing vitality of communities in the Delta;
- 6. Support rehabilitation, improvement, and maintenance of levees throughout the Delta;
- 7. Support the Delta pool concept; in which the common resource provides quality freshwater supply to all delta users, requiring mutual responsibility to maintain, restore, and protect the common resource;
- 8. Support immediate improvements to through-Delta conveyance;
- **9.** Require that any water conveyance plan for the Delta be aligned with the principles established by this resolution and supported by clearly demonstrated improvement to the entire state's water management;
- **10.** Protect and restore the Delta ecosystem, including adequate water supply and quality to support it in perpetuity; and
- **11.** Include the study of storage options and implementation of conservation, recycling, re-use, and regional self sufficiency as part of a statewide improved flood management and water supply system.



COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

Delta Water Solutions (continued)

Regional Efforts:

San Joaquin County continues to actively participate in local and regional efforts in seeking a comprehensive and sustainable solution to the Sacramento-San Joaquin River Delta. The San Joaquin County's regional efforts include participation in the Delta Counties Coalition (DCC). The DCC is a consortium of the California counties (Contra Costa, Sacramento, San Joaquin, Solano, and Yolo) working to give one voice to the Sacramento-San Joaquin Delta (Delta), advocating on behalf of the affected local governments and the four million residents of the Sacramento-San Joaquin Delta. The DCC's central tenet is that a comprehensive plan must provide for a secure, sustainable water supply, and ensure the quality and reliability of that supply, not just for Southern California, but for the four million Californians who reside in our five counties as well. A comprehensive solution must also include support for flood control and the maintenance of levees in the Delta, provide for the restoration of the Delta's ecosystem and the health of species native to the Delta, and sustain the communities and the economy of the Delta, most notably agriculture and recreation. Finally, a comprehensive plan must be based on validated and peer-reviewed science and represent and include an equal voice from local government in any new governance structures, if established, for the Delta, and will protect and affirm water right priorities and area-of-origin protections established under state law. These objectives, which are part of eleven adopted principles that form the basis of the DCC position will provide for a more sustainable water system and a healthy Sacramento-San Joaquin Delta in the future.

San Joaquin County is also a member of the California Partnership for the San Joaquin Valley (Partnership). Established in 2005, the Partnership includes eight San Joaquin Valley Counties - Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare. The Partnership's focus is on improving the region's economic vitality and quality-of-life in the region. The Partnership has 10 workgroups, one of which is: Water Quality, Supply and Reliability. On October 22, 2009, the eight San Joaquin Valley counties realizing that they have much more in common with regards to a sustainable water supply of adequate quality and commitment to sustained flood protection, adopted a resolution in support of Partnership-Sponsored Integrated Regional Water Management Plan Framework. (Appendix B - Page 105)

Background:

With nearly two-thirds of the Delta located in San Joaquin County, one of the County's priorities is the protection of the quantity and quality of water available within the Delta, and the significant negative impacts that a Peripheral Canal or similar facility would have on the County's infrastructure, economy, wildlife, recreation, and the fragile Delta environment. This issue has been further exacerbated by the Delta Vision Process, and the Preliminary Recommendations Report that includes two primary visions for the Delta, the Flexible Delta and the resilient Adaptive Delta. While this effort has outlined possible approaches that may help the Delta to meet future beneficial use demands, it also revives and calls for studies, modeling, and investigations into the benefits of an isolated water conveyance facility or Peripheral Canal.



COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

Delta Water Solutions (continued)

San Joaquin County has long been concerned about the possible impacts of the construction of a Peripheral Canal, or a similar isolated water transfer facility to carry the Sacramento River water around the Delta to State and federal pumps. Since 1982, the SJC Board of Supervisors (Board) has opposed the authorization, funding, and construction of what was then the proposed Peripheral Canal (SB 200-1982), and urged a "No" vote on Proposition 9 on the June 1982 ballot. The County's position was again re-asserted by the Board in 1992. The Board reaffirmed its opposition to the development of a Peripheral Canal, or other isolated water conveyance facility on September 18, 2007 (Resolution 07-534, Appendix C - Page 107).



LEGISLATIVE PRIORITIES – Flood Protection

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

2. Title: Lower San Joaquin River (CA) Urban Flood Protection - Feasibility Study

Issue: The California – San Joaquin Central Valley levee system that protects invaluable infrastructure has been neglected for decades.

<u>Legislative Platform</u>: Seek, advocate, and support legislation and administrative efforts, budgetary proposals, and regulations which would:

1. Provide funding to analyze, plan, design, construct, and maintain facilities to improve Delta levees and waterways in San Joaquin County for the protection of urban communities' critical water supplies and statewide levee system infrastructure.

2. Provide \$2 million in funding assistance for the Lower San Joaquin River Urban Flood Protection Feasibility Study.

3. Seek the State's support for inclusion of the following language into the new Federal Water Resources Development Act:

- a. Permit the U.S. Army Corps of Engineers to credit, toward future nonfederal project implementation costs, the cost of any contribution by the non-federal sponsors to the Feasibility Study that exceeds its required costshare.
- **b.** Permit the U.S. Army Corps of Engineers to credit, toward future nonfederal project implementation costs, the cost of any locally funded flood protection project that is subsequently found to be consistent with a federally approved project.
- c. Include language into the Water Resources Development Act which would streamline the Section 408 permitting process, to allow permit approval by the respective U.S. Army Corps of Engineers District Engineers.

<u>Appropriation Request</u>: \$2.0 million <u>Total Project Cost</u>: Approximately \$10.0 million

Background: San Joaquin County levee systems protect invaluable infrastructure and over 250,000 residents. The current urban flood protection system generally provides a 100-year level of flood protection. In order to provide a minimum of 200-year urban protection, a thorough evaluation of existing levees, channels, and reservoirs is needed to identify flood protection enhancement options.



LEGISLATIVE PRIORITIES – Flood Protection

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

Lower San Joaquin River Urban Flood Protection – Feasibility Study (continued)

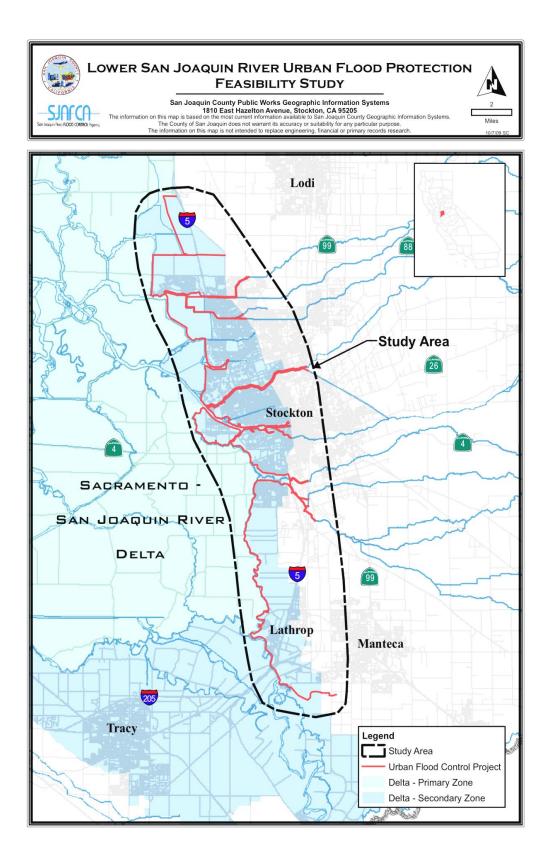
Major flooding in San Joaquin County could result in overwhelmingly negative economic impacts statewide. Such potentially long-lived impacts to homes, businesses, transportation, farms, and the environment may be avoided with proper planning, identification of levee deficiencies, and flood protection upgrades.

The Lower San Joaquin River Urban Flood Protection Feasibility Study (project map included) in coordination with appropriate State and federal agencies, will identify options for improved flood protection for existing urban areas, and whether there is a federal interest in pursuing preferred alternatives. San Joaquin County is seeking \$2 million in State and/or federal funding assistance for the U.S. Army Corps of Engineers (ACOE) would be used to advance the six-year Feasibility Study currently underway. The Feasibility Study includes an analysis of alternatives to provide improved flood protection and associated ecosystem restoration.

In 2006, San Joaquin County and San Joaquin Area Flood Control Agency initiated preliminary project coordination with the ACOE, Department of Water Resources, and the California Reclamation Board (now known as Central Valley Flood Protection Board). In 2008, the ACOE completed a project management plan and developed a Feasibility Cost Share Agreement for continuation of the study. The Federal Cost Share Agreement with the ACOE was signed in March 2009.

San Joaquin County is also seeking that the new Federal Water Resources Development Act include language which would permit the ACOE to credit the cost of any local contributions by non-Federal sponsors to the Feasibility Study that exceeds its required cost-share. In relation to advanced work conducted by a non-Federal sponsor, the Section 408 permitting process should be streamlined to ensure that the ACOE can issue permits for local agencies to accomplish work demonstrated to enhance flood protection by the existing Federal projects.

(Project Map Below and Literature Available)





COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

3. <u>Title</u>: Mokelumne River Regional Water Storage and Conjunctive Use Project (MORE Water Project)

Legislative Project Appropriations Request:

1. Seek, advocate, and support \$1 million in funding assistance for the MORE Water Project; and

2. Seek State support for inclusion of report language in the Federal 2011 Energy and Water Appropriations bill which would broaden the MORE Water study to include the entire Mokelumne River watershed, and to consider recommendations included in the Eastern San Joaquin Integrated Regional Water Management Plan in examining the feasibility of providing additional water supplies and improving water management reliability through the development of new water storage and conjunctive use programs.

Background: The reliability of the region's water supply is being threatened by groundwater pumping exceeding natural recharge amounts in Eastern San Joaquin Groundwater supply, and plans to continue the use of groundwater into the future. The greatest depression in groundwater levels appears centered below Stockton East Water District's service area and could be up to 90 feet below sea level. Damage to the aquifer system due to saline water intrusion, withdrawal of groundwater from storage, and, potentially, subsidence and aquifer consolidation could be irreversible. The loss of the Basin as a viable water source could damage the region's economy, including a multi-million dollar agricultural industry and rapidly growing commercial and residential developments.

Water agencies in San Joaquin County are developing projects to address the groundwater overdraft and saline intrusion issues, of which the Mokelumne River Regional Water Storage and Conjunctive Use Project (MORE Water) is one. The purpose of MORE Water is to capture unappropriated flows from the Mokelumne River and regulate supply to an integrated system of conjunctive use projects to provide additional water supply and reliability for San Joaquin County, and potentially throughout a greater inter-regional area.

Federal Action Taken:

- ✓ In May 2008, the U.S. Department of Interior, Bureau of Reclamation, and the Mokelumne River Water and Power Authority signed a Memorandum of Agreement on cost-sharing for the MORE Water Project according to the approved Plan of Study.
- ✓ On October 12, 2006, the President signed Public Law 109-338 (S 203-109th Congress) authorizing the Secretary through the Bureau of Reclamation to complete "... a study to determine the feasibility of constructing a project to provide additional water supply and improve water management reliability through the development of new water storage and conjunctive use programs."



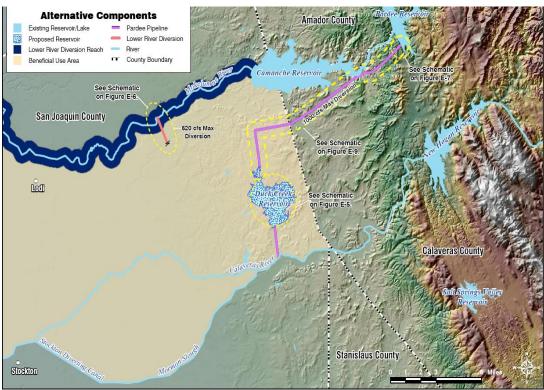
COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

Federal Action Taken (continued)

- ✓ S. 203 includes a \$3.3 million Federal cost-share to conduct studies to determine the feasibility of constructing the MORE Water Project.
- ✓ In August 2007, the U.S. Department of Interior, Bureau of Reclamation, released the MORE Water Project Appraisal Report. In summary, the findings of the Appraisal study determined that:
 - "The MORE Water Project meets the requirements for advancing to a Feasibility Study."
 - "The MORE Water Project is one of few surface water resource projects that can be developed within San Joaquin County to provide new supply."
 - A range of economic benefits is possible with the MORE Water Project: 1) reduced groundwater over-drafting, 2) improved water quality, 3) additional benefits including reduced flood damages and improved ecosystems conditions.
 - The benefit-to-cost ratios suggest that benefits exceed costs and that the alternatives with the highest benefit-to-cost ratios are also among the more cost-effective.
 - <u>There is a "Federal Interest" in the MORE Water Project.</u>

(Project Map below and Literature Available)

<u>MORE Water Project (Mokelumne River Regional Water Storage and Conjunctive Use Project</u> (continued)



Duck Creek Dam & Reservoir Construction - Pardee Reservoir Diversion



Legislative/Regulatory Policy Guidelines ~ Administration

COUNTY OF SAN JOAQUIN ~ COUNTY ADMINISTRATOR'S OFFICE Contact: Manuel Lopez, County Administrator; E-Mail: <u>mlopez@sjgov.org</u>; Ph. (209) 468-3203

The top legislative priority for all San Joaquin County departments is to make every effort to maintain or increase funding for the continued provision of critical local services to the residents of San Joaquin County. In addition, the San Joaquin County Board of Supervisors:

- 1) Shall continue to monitor legislation which impacts county government, while advocating for maximum local control and flexibility in the allocation of resources, and the administration of County programs.
- 2) Supports an economic stimulus proposal which would provide assistance to the County in meeting the needs of our residents, particularly, resources that would ensure the provision of critical safety-net medical, social, and public safety services, in addition to resources which would serve to assist in stimulating the local economy, including local infrastructure projects.
- 3) Supports maximum State and federal funding participation directly to local agencies for various infrastructure projects critical to the economic vitality of San Joaquin County.
- 4) Opposes any reductions to the current level of State funding for County programs.
- 5) Aggressively opposes attempts by the Legislature to shift costs from the State to the County for mandated and/or non-mandated programs.
- 6) Opposes attempts by the Legislature and/or Executive Branch to take away or restrict revenue sources or impose costly program changes without adequate funding.
- 7) Strongly opposes the transfer of county property tax dollars to any other entity.
- 8) Opposes the proposed 1,800-bed State prison healthcare facility sited for San Joaquin County unless all County requested mitigation measures noted in Appendix F Page 116 (as well as others, which may be identified in the normal course of the project review process) are adequately addressed in the final Environmental Impact Report.
- 9) Continue to oppose federal and State fiscal sanctions against counties for failure to comply with State and/or federal laws when the errors are beyond the counties' control.
- 10) Supports legislative and local efforts to protect our communities from the impacts of greenhouse gases which have the potential to dramatically impact multiple aspects of human life, including our environment, public health, and economy, and supports a collaborative State, regional, and local approach to the development of greenhouse gas reduction strategies.
- 11) Strongly opposes legislation that would reduce management rights as defined in the 1977 San Joaquin County Employer-Employee Relations Policy.
- 12) Opposes legislation which would result in rollbacks to Workers' Compensation Reform enacted by SB 899 (2004), and/or would expand current leave entitlements for employees beyond existing benefits.



Legislative/Regulatory Policy Guidelines ~ Administration

COUNTY OF SAN JOAQUIN ~ COUNTY ADMINISTRATOR'S OFFICE Contact: Manuel Lopez, County Administrator; E-Mail: <u>mlopez@sjgov.org</u>; Ph. (209) 468-3203

Administrative Legislative/Regulatory Policy Guidelines (continued)

- 13) Supports departmental pursuit of additional funding opportunities associated with the State Budget process, and responds as timely and effectively as possible to legislative issues both by Board action and, if time constraints exist, by the affected Department Heads with the concurrence of the County Administrator. If consideration by the Board of Supervisors is not feasible, the County Administrator will notify the Board.
- 14) Maintains close relationships with San Joaquin County's legislative delegation to foster greater advocacy and understanding of San Joaquin County's issues.
- 15) Advocates for State organizational structures to maximize leadership and support for County services and programs.
- 16) Opposes any efforts to diminish Proposition 10 and Proposition 63 funds, or to impose restrictions on local expenditure of the funds. Opposes efforts to lower, or eliminate the State's fiscal support for county programs, with the expectation that the state will backfill the loss of Proposition 10 and Proposition 63 revenues.
- 17) Monitors legislation or initiatives which would have a fiscal impact on county government, including pension reform.
- 18) Continues to monitor collaborative proposals for multi-agency participation to protect the fiscal and pragmatic interests of the County.
- 19) Supports cost-effective, State-funded efforts to provide for the health and safety of public employees in the administration of their duties.
- 20) Monitors legislation which would impact land use, building standards, and housing requirements.
- 21) Support legislation, regulatory changes, and/or administrative efforts which would authorize San Joaquin County to conduct an all-mailed ballot election for any special election(s) which may be called by the Governor.
- 22) Supports legislation or budgetary actions that would require for the pass-through of federal Older Americans Act funding to local Area Agencies on Aging even though the state budget is delayed past the start of the State Fiscal Year.



Legislative/Regulatory Policy Guidelines ~ Law & Justice

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE Contact: Steve Moore, Sheriff; E-Mail: <u>smoore@sjgov.org</u>; Ph: (209) 468-4311 Contact: Patty Mazzilli. Chief Probation Officer: E-Mail: <u>pmazzilli@sigov.org</u>: Ph. (209) 468-4070

Adults ~

- 1) Support a State bond which would provide funding for the expansion of jail beds at the San Joaquin County Jail facilities.
- 2) Support State funding for a new San Joaquin County courthouse.
- 3) Advocate in support of State economic stimulus funding for the development of information technology infrastructure, including County connectivity to the new Administrative Office of the Courts' computer systems.

Juvenile Justice ~

- 4) Seek that counties be given the opportunity to analyze the impact, assess the feasibility, and determine the acceptability of any juvenile justice proposal that would realign services from the State to the local level. As with any realignment, responsibility and authority must be connected, and sufficient resources, with a built-in growth factor adjustment, must be provided.
- 5) Advocate in support of funding to local governments to provide facilities for additional programming options for juveniles who are no longer under the jurisdiction of the Department of Juvenile Justice, including funding to construct or expand juvenile camps and Ranches, and related facilities for treatment services and programs.
- 6) Advocate that the enforcement of minimum facility standards must be dependent upon State financial assistance.
- 7) Support legislative and administrative efforts which would reduce overcrowding of juvenile detention and improve the chances for treatment and rehabilitation of lesser offenders.
- 8) Support legislative, regulatory, and/or administrative efforts which would provide that truants, runaways, and youths who are beyond the control of their parents be removed from the justice system except in unusual circumstances. These youths should be the responsibility of their parents, not the government. Imposing fines and/or sanctions on parents to prompt their participation in their children's lives and involvement in the process should remain an option.



Legislative/Regulatory Policy Guidelines ~ Emergency Flood Response

COUNTY OF SAN JOAQUIN ~ OFFICE OF EMERGENCY SERVICES Contact: Ronald Baldwin, Director; E-Mail: <u>rbaldwin@sjgov.org</u>; Ph. (209) 953-6206

Improvement of levees and the physical aspects of the flood control system must continue to be a high priority for the State. However, given that any levee can fail, the quality of the emergency response system, as it relates to patrolling levees during a crisis, responding to potential problems on levees, and minimizing flooding impacts after a levee failure, must also be addressed. In light of the issues regarding the current condition of the Delta levees, following are San Joaquin County's Emergency Flood Response Policies:

Regional Response

Seek, advocate, and support regional coordination of federal, State, and local agencies' efforts to patrol levees and to identify and respond to threats to levee integrity. Encourage the State to facilitate and support San Joaquin County's efforts to create a regional coordination system for flood response. In an emergency, the coordination system would provide all appropriate local agencies access to the following: 1) levee patrol results for the Sacramento-San Joaquin Delta, 2) all identified levee problems within that area, and 3) federal, State, and local resources available to respond to levee issues.

Basin-Wide Management of Flood Fight Resources

Encourage the State and federal agencies to facilitate the development of systems for the centralization of dispatch of materials/supplies needed to prevent levee failure or minimize flooding in the event of a levee failure. Use of the Internet to deploy such systems should be considered.

Removal of Obstacles in Response to Levee Problems

Encourage the State to work with the Federal Emergency Management Agency (FEMA) to remove regulatory and other administrative rules which currently impede local, State, and federal agencies in responding to a levee issue. (At the local and State level, FEMA regulatory rules do not allow for agencies that do not have direct jurisdiction on a levee to be reimbursed for resources used in the prevention of levee failure.) In the past, failure of the State to budget funds for response to levee problems has delayed the Department of Water Resources' response to identified levee problems. In addition, the U.S. Army Corps of Engineers' regulations relating to response to levee problems and levee rehabilitation need to be more flexible and should include non-project levees.

Regional Flood Contingency Planning

Advocate in support of coordination of State and local efforts to complete specific planning for responding to Delta levee issues and/or failure. Previous mandates for emergency response have not led to identifying specific responsibilities and assignments for predictable actions in the event of a levee issue or failure. An example of essential planning efforts is the development of flood contingency maps that identify critical, historical, and survey information, as well as foreseeable engineering options to potential levee problems. Such planning efforts are critically needed to move planning from general concepts to specific needs and assignments.



Legislative/Regulatory Policy Guidelines ~Environmental Health

COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH Contact: Donna Heran, Director; E-Mail: <u>dheran@sjcehd.com</u>; Ph. (209) 468-3429

The San Joaquin County Environmental Health Department provides services which protect and enhance the well-being, health, and safety of the residents of the County. These efforts are provided through the prevention, education, inspection, and enforcement of State and local environmental laws and regulations.

- 1) Support legislation or regulatory action which would provide alternatives to the current methods of dead animal transportation and disposition, for emergency situations, which would expand the capacity of rendering facilities, including landfills.
- 2) Oppose legislation or regulatory action which would strike down existing or future County ordinances that prohibit or restrict the use of bio-solids as a soil amendment or fertilizer.
- 3) Support legislation which would provide clean-up language to the California Retail Food Code support amendments which would make *non-substantive* changes to the Code, and amendments that address the County's interest.



Legislative/Regulatory Policy Guidelines ~ Health Care

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY Contact: Kenneth Cohen, Director; E-Mail: <u>kcohen@sigh.org</u>; Ph. (209) 468-7031

As a political subdivision of the State of California, the County is a partner in the delivery of health care services. San Joaquin County's Health Care Services Agency is the health care safety-net provider for the community. In addition, the State has transferred direct responsibility for the health care of some residents to the County. In light of this partnership, the San Joaquin County Board of Supervisors:

- 1) Advocates for maximum local control and flexibility in the administrative responsibilities for health care services for which the County has been transferred authority.
- 2) Supports simplification of regulations, contract requirements, and reimbursement claims mechanisms to ensure flexibility and maximum financial support of local health care delivery systems.
- 3) Aggressively opposes reductions in Medi-Cal, Safety-Net Care Pool, and other health care funding or reform to Medi-Cal which would result in decreased access to health care and/or would shift costs or risk to counties.
- 4) Opposes legislative, administrative, and/or regulatory efforts that would impose unfunded mandates or regulations impeding the efficient and effective delivery of health care services at the local level, including health facility standards.
- 5) Advocates that the Legislature and State Administration consider potential impacts of pending health care legislation, regulations, and/or guidelines to the local health care delivery systems, economy, resources, and job market prior to adoption.
- 6) Advocates for health care and public health funding formulas that equitably reflect San Joaquin County's demographics and health burdens.
- 7) Advocates in support of policies which promote healthy eating and increase access to opportunities for physical activity.
- 8) Supports legislative efforts and budgetary appropriations for local health care agencies to be able to: a) address chronic health conditions (such as obesity, diabetes, asthma, cardiovascular disease, and cancer), b) enhance local disease control and prevention (including epidemiology, surveillance, investigation, and response), c) provide emergency and bio-terrorism preparedness and response, including pandemic and influenza, and d) support infrastructure development.
- 9) Supports budgetary appropriations to local health care programs for the control of communicable diseases, including tuberculosis, and advocates that Medi-Cal funding for tuberculosis is exempt from State funding reductions to emergency Medi-Cal for immigrants.



Legislative/Regulatory Policy Guidelines ~ Health Care

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY Contact: Kenneth Cohen, Director; E-Mail: <u>kcohen@sigh.org</u>; Ph. (209) 468-7031

Health Care Legislative/Regulatory Policy Guidelines (continued)

- 10) Advocates and supports infrastructure bonds, financing, and/or an economic stimulus package that would provide funds to San Joaquin General Hospital for seismic safety upgrades, including construction, replacement, renovation, and retrofit.
- 11) Advocates in support of funding for health care information technology infrastructure to enhance the quality of patient safety and the delivery of health care services.



Legislative/Regulatory Policy Guidelines ~ Water Resources

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

- 1) Support legislation, regulatory reform, bond funds, and/or budgetary proposals which would address groundwater overdraft issues in the northeastern region of San Joaquin County.
- 2) Support legislation and/or regulatory reform which would serve to restore the San Joaquin River in-stream flows to the Delta in accordance with the San Joaquin County Water Management Plan and the Northeastern San Joaquin Groundwater Basin Groundwater Management Plan.
- 3) Advocate and support legislation or regulatory efforts which would provide for the use of surface water to recharge critically over-drafted groundwater basins, and to define and streamline State regulatory permitting processes for aquifer storage and recovery.
- 4) Seek and support State policy and planning which would provide for comprehensive flood protection projects, including the development of additional surface water storage facilities.
- 5) Support legislation which would provide new water supplies in the State to be developed through greater conservation, recycling, conjunctive use of ground and surface water, desalinization of brackish and ocean waters, additional local water storage facilities, water reclamation, and improved management of flood waters.
- 6) Support legislation which would provide for local and regional water resource management activities to develop and utilize local regulatory storage and other projects for improved conjunctive use, recharge capability, and groundwater storage.
- 7) Seek and support legislation which would facilitate recovery from flood, seismic, and other potential emergencies in the San Joaquin Delta levee system.



Legislative/Regulatory Policy Guidelines ~ Flood Protection

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

- 1) Seek, advocate, and support legislation and/or budgetary proposals which would require coordinated planning and funding levels for comprehensive levee evaluations and improvements (project and non-project levees) to achieve enhanced urban flood protection statewide.
- 2) Aggressively oppose legislative efforts to shift State and/or federal flood control liability or obligations to local agencies.

While it is necessary for local agencies to act responsibly when approving development in and near existing floodplains, it is inappropriate to subject local agencies, which approve development in a manner consistent with existing law, to liability for flood damages due to conditions over which the agencies have no control.

- 3) Support legislation which would provide for comprehensive flood protection, and improvements to existing flood protection/levee systems (including both project and non-project levees).
- 4) Support legislation or regulatory changes which would mandate coordination between State and federal agencies relative to flood protection and floodplain management regulations.
- 5) Oppose legislation or regulatory efforts which would impose arbitrary increases in flood protection standards without sufficient feasibility studies, including financial impacts and identification of funding sources for local implementation.
- 6) Oppose legislation or regulatory efforts which would result in a duplication of efforts between local floodplain administrators and the State Reclamation Board with regard to the evaluation of community development projects.
- 7) Oppose arbitrary imposition of enhanced flood protection standards which are stricter only for the Delta, and inconsistent with other statewide standards.
- 8) Advocate and support efforts to ensure that the State Flood Management Plan for the Central Valley addresses global change.
- 9) Support legislation or regulatory efforts which would streamline the permit process for the removal of silt from flood control and Delta waterways, and provide the required funding.



Legislative/Regulatory Policy Guidelines ~ San Joaquin Delta and Bay Delta

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

On November 4, 2008, the San Joaquin County Board of Supervisors adopted the following policies and principles with respect to Bay Delta activities, and seeks the State's support as follows:

- 1) Actions associated with the Delta ecosystem and water supply reliability for areas outside of the Delta must not redirect unmitigated adverse environmental, economic, or social impacts to the County.
- 2) Actions and activities associated with the Delta must honor and adhere to water rights, priorities, and area-of-origin protections. The County opposes water user fees that would tax water users in the areas of origin for the cost of mitigation efforts in the Delta, or to provide a water supply for those outside of the Delta.
- 3) Water conveyance facilities routed through the County must have no adverse effect on the existing and future agricultural operations in the County. Other adverse impacts of water conveyance facilities routed through the County must be fully mitigated. The County must be fully involved in routing and operational issues of water conveyance facilities located within the County.
- 4) The County will protect its governmental prerogatives in the areas of its local land use authority, tax and related revenues, public health and safety, economic development, and agricultural stability.
- 5) The County will protect its ability to govern, as an elected body, from proposed usurpation through governance by a non-elected, appointed board or council. Any councils, commissions, or boards established to "govern" the Delta must include voting membership for elected representatives from San Joaquin County, and elected representatives from the Delta counties must be a majority on any of these bodies.
- 6) The County will work with the State's representatives implementing the Delta Vision Strategic Plan and the Bay Delta Conservation Plan to ensure that those Plans do not conflict with County land use planning and economic development, including agriculture.
- 7) Financial resources must be committed by the State to maintain and enhance vital transportation and flood control infrastructure within those areas of the Delta that are within the County. Financial resources also need to be committed to improve emergency response within the Delta.
- 8) Any solution to the problems being addressed in the Delta must account for the multiple causes of the Delta's decline, and not simply focus on one or even a limited number of them.
- 9) These policies and principles supplement the principles adopted by this Board in R-08-269: Resolution Opposing the Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta (Appendix D - Page 109), and in R-08-363: Multi-County Resolution on water- and Delta-related issues (Appendix E - Page 114).



Legislative/Regulatory Policy Guidelines ~ Solid Waste

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

- 1) Support legislative and administrative efforts which would require an economic evaluation and finding of a positive benefit-to-cost ratio before new regulations are implemented.
- 2) Oppose legislation or changes to current regulations which would allow the processing of radioactive and semi-hazardous wastes at Class III landfills.
- 3) Advocate and support legislation which would provide for the development and implementation of waste diversion, alternative disposal technology, and recycling programs which provide local benefits.
- 4) Support legislation which would provide incentives for development of "landfill gas to energy" and "waste to energy", and streamline related permitting processes.
- 5) Oppose legislation which would impose new solid waste disposal requirements on local government unless the funding mechanisms needed for implementation are provided.
- 6) Oppose legislation or regulatory reform requiring municipal landfills (Class III) to accept semi-hazardous wastes, including medical or radioactive waste products.
- 7) Support legislation which would provide: 1) local control of where locally produced wastes are disposed, for the purposes of assuring waste diversion mandates are met, and 2) adequate funding for the development and operation of local waste diversion and disposal facilities.
- 8) Support legislation which would require that State and federal facilities comply with Stateimposed waste diversion mandates, or provide local jurisdictions relief from diversion mandates for waste over which they have no control.
- 9) Oppose legislation which would increase State disposal fee surcharges on local landfills.
- 10) Oppose legislation which would ban landfill disposal of new categories of products, unless an alternative disposal plan and related programs and infrastructure are in place ("ban without a plan").
- 11) Support legislation which would require development of balanced sustainable plans for community growth that incorporate waste diversion principles and enhanced use of "green" technologies.
- 12) Support legislation and/or new regulations which would promote the development of costeffective programs to increase the use of rubberized asphalt.
- 13) Oppose legislation and/or regulatory changes which would increase post-closure requirements for landfills.



Legislative/Regulatory Policy Guidelines ~ Transportation

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

- 1) Seek, advocate, and support legislative action which would serve to protect and increase transportation funding to local agencies.
- 2) Continue to advocate that California receive its fair share of contributions from the Federal Highway Trust Fund.
- 3) Advocate for cities and counties to share equitably in the growth of federal revenues available to California for the network of local roads which are experiencing increased traffic and functioning as secondary highways.
- 4) Continue to support legislation and/or budgetary proposals which would provide dedicated funding to address local transportation needs.
- 5) Seek and support federal reauthorization or a new federal transportation bill.

LAW & JUSTICE ~ Legislative Issues



COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE Contact: Steve Moore, Sheriff; E-Mail; <u>smoore@sjgov.org</u> Ph: (209) 468-4311

4. <u>Title</u>: Funding for County Jail Expansion - Public Safety and Offender Rehabilitation Services Act of 2007

Issue: Local jail overcrowding continues to be a significant issue in San Joaquin County, and funding authorized in AB 900 (2007-Solorio) for county jail beds has not been appropriated by the State, nor does the 2009-2010 State Budget include funding for expansion of the County's jail as stipulated in AB 900.

<u>Legislative Platform</u>: Seek, advocate, and support legislative and budgetary efforts which would provide state "... *funding preference* ..." and adequate State funding to San Joaquin County for the expansion of the County's jail.

Background: The Public Safety and Offender Rehabilitation Services Act of 2007 (AB 900-2007), signed by the Governor on May 3, 2007, seeks to deter federal court action, including the possible imposition of a prison population cap and the potential of a federal receivership. AB 900 contains approximately \$7.4 billion in bond funding and \$350 million in State General Funds for infrastructure financing (for approximately 13,000 local jail beds and 40,000 State prison beds) to address overcrowding issues in local adult detention facilities. This bill addresses the adult corrections system only; it does not speak to the juvenile justice issues.

In July 2007, the San Joaquin County Board of Supervisors adopted a Resolution (R-07-451) supporting and requesting the use of the Northern California Women's Facility (NCWF) as a reentry facility as identified in AB 900, with the following conditions to the State: 1) Invoke priority funding to the County under AB 900, 2) Mitigate traffic, water, and sewer impacts due to the use of the NCWF, 3) Ensure the facility would be used for inmates who are within one year of release from State custody and who are to be released within the San Joaquin Region (San Joaquin, Calaveras, and Amador counties), 4) Provide expanded programming to re-entry facility inmates, and 5) Consider use of any additional capacity in the NCWF for local jail relief.

SB 943 – Prisons (2007-Machado) signed by the Governor on September 26, 2007, authorizes the California Department of Correction and Rehabilitation (CDCR) to use the NCWF in Stockton as a re-entry facility for San Joaquin, Calaveras, and Amador counties. In addition, SB 943 states that subdivision (b) of Section 15820.907 of the Government Code (enacted by AB 900-2007) was met on August 7, 2007 when the San Joaquin County Board of Supervisors and the Stockton City Council passed resolutions supporting conversion of the former NCWF to a re-entry facility to house male inmates and/or parole violators. Subdivision (b) states: "The CDCR and Correction Standards Authority shall give *funding preference* to counties that assist the State in citing re-entry facilities, pursuant to Section 6270. "State funding for expansion of the County's jail has not been appropriated by the State, and the funding is not included in the State's 2009-2010 Budget (Appendix H, Page 119).



LAW & JUSTICE ~ Legislative Project

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE Contact: Jerry Becker, Information Systems Director; E-Mail: <u>jbecker@sjgov.org</u>; Ph. (209) 468-3960

5. <u>Title</u>: Public Safety Interoperability Communication System Project

<u>Legislative Project Appropriations Request</u>: Seek, advocate, and support \$2,858,500 in funding assistance for a regional Public Safety Interoperability Communication System Project.

Background: San Joaquin County (SJC) is seeking federal and state assistance to develop and implement a regional Public Safety Interoperability Communication System for all First Responders / Public Safety entities within the County. Radio Technology is the primary communication tool used by First Responders and Public Safety agencies throughout SJC; however, many of the radio technologies currently utilized in the County do not effectively support communications between the agencies during an emergency.

The communication systems within SJC currently operate in both digital and analog mode. When implemented, the technologies proposed by this project will operate in compliance with the Federal Communications Commission January 2013 "narrow band" mandate.

The Public Safety Interoperability Communication System project will migrate all public safety entities within SJC from their existing analog radio communication systems to a common digital radio platform. This migration of all public safety entities to a common digital platform will allow the agencies to effectively communicate with each other during emergencies. The project is consistent with the SJC Master Radio Communication Plan which was developed by a committee comprised of representatives from all public safety agencies within the County. Agencies represented on the committee include Emergency Medical Services, City and Rural Fire Districts, Sheriff and City Police Chiefs, Office of Emergency Services, and other County public safety agencies. All of these agencies have adopted the Master Radio Communication Plan and have agreed to operate on a public safety trunked radio system. The agencies have also agreed to share resources to accomplish this goal.

Because of the magnitude of this effort and the potential impact to ongoing public safety operations, the Public Safety Interoperability Communication System project was designed with the intent that it would be implemented in phases. Currently, SJC is working with public safety agencies within the region to implement the Radio Master Communication Plan as funding sources are identified and made available. SJC is focused on Phases I and II of the project to establish the infrastructure that will be the foundation for the eventual countywide radio system.

(Project Literature Available)

Appropriation Request: \$2,858,500.	
Total Project Cost: \$26.3 million	



LAW & JUSTICE ~ Legislative Projects

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE ~ PROBATION Contact: Patty Mazzilli, Chief Probation Off.; E-Mail: <u>pmazzilli@sjgov.org</u>; Ph. (209) 468-4070

6. <u>Title</u>: Construction of a New Juvenile Camp Project

Legislative Project Appropriations Requests:

Seek, advocate, and support a \$5.0 million funding request for a new Juvenile Camp.

Background: San Joaquin County continues to experience a high juvenile crime rate. Based on the most recent year of available data (2007) from the California Department of Justice, the County's overall juvenile crime rate of 6,864 arrests per 100,000 juveniles was the second highest of any county in the State of California with a juvenile population in excess of 50,000. For juvenile felony arrests, the County rate was the second highest in the State for misdemeanor arrests per 100,000 in counties with a juvenile population in excess of 50,000.

To address this continuing problem, the County has introduced a number of collaborative juvenile crime prevention and intervention strategies, in addition to broadening its array of available sanctions. In 1998, the County expanded its continuum of graduated sanctions for juvenile offenders to include a 45-bed camp program on the grounds of Juvenile Hall. The Camp is designed for males ages 14 to 18 and operates as a 180-360 day commitment (post adjudication) program for the Juvenile Court. The camp program allows the County to keep juvenile offenders in the local community who might otherwise be placed in the California Division of Juvenile Juvenile Juvenile or in expensive out-of-county or out-of-state offender programs.

Currently, the Juvenile Camp is available only for males. The Juvenile Camp Project would increase the Camp capacity from the current 45 to 60 beds, and allow the inclusion of females in the program. In recent years, State funds allocated for construction of juvenile facilities have emphasized the construction of high-security beds. The County constructed three high-security units over the past few years with assistance from State funding. The County has applied repeatedly for funding to replace the Juvenile Camp, but has not been funded due to the emphasis put on maximum-security facilities. Both maximum-security pre-disposition beds and post-disposition Juvenile Camp beds are needed. Additionally, San Joaquin County cannot offer the same continuum of sanctions for its female population as it does for its male population due to the design of the existing camp facility. A local camp program for female minors would provide the Court with another option prior to costly out-of-home placement and provide opportunity for family involvement at the local level.

(Project Literature Available)

Appropriation Request: \$5.0 million Total Project Cost: Approximately \$8.5 million



COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE Contact: Steve Moore, Sheriff; E-Mail: <u>smoore@sjgov.org</u>; Ph. (209) 468-4311

7. <u>Title</u>: California Multi-Jurisdictional Methamphetamine Program

Issue: The proliferation and trafficking of methamphetamine drug laboratories and other illegal drugs continues to be a serious problem in San Joaquin County.

Legislative Platform: Seek, advocate, and support efforts which would:

1. Increase funding to local law enforcement agencies to combat the production, trafficking, and sales of methamphetamine and other illegal drugs; and

2. Increase funding for the California Multi-Jurisdictional Methamphetamine Program and other programs targeted at combating illegal drug production and trafficking; and

3. Support legislative efforts and/or budgetary proposals which would sustain the current level of funding to combat illegal drugs, and oppose budget reductions to the Methamphetamine Program.

Background: Production and trafficking of methamphetamine continues to be a significant issue in San Joaquin County in spite of the increased seizures of large-scale clandestine laboratories. It has been estimated that 99% of the "super-labs" – labs capable of producing more than 500 pounds of the drug a week – in the United States are located in Central California. Although federal and State laws have been enacted to curtail and restrict the sales of precursor chemicals, drug trafficking organizations have adapted and continue to transport larger quantities of methamphetamine into California. In addition, marijuana and cocaine trafficking is increasing in San Joaquin County. Increased federal and State funding is necessary to maintain high-level enforcement to combat this issue, and to address the growing operating costs, including technological costs of keeping abreast of the sophisticated and elusive drug trafficking organizations.



COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE ~ PROBATION Contact: Patty Mazzilli, Chief Probation Off.; E-Mail: <u>pmazzilli@sjgov.org</u>; Ph. (209) 468-4070

8. Title: Early Release of State Prisoners

Issue: The State must provide sufficient resources to local government to both protect the public and to provide needed services in the event that early release of state prison inmates is acted upon by the State.

<u>Legislative Platform</u>: Seek and advocate in support of state funding for county provided programs and services needed to address early release of state prison inmates into San Joaquin County.

The State of California is under significant pressure, from both a cost perspective and from the Federal Courts, to reduce the state's prison populations. The 2009-10 State Budget proposed releasing up to 44,000 prison inmates through an early release program, which was not defined at the time. If the state is to pursue this early release, or any other plan to reduce the State prison population, it is imperative that resources be provided to counties to provide services to this population, including local law enforcement, health and human services, workforce training and employment services, and a variety of other services to assist the individual to return to society.

Background (as of November 2009)

In July 2007, a federal three-judge panel was created to review prison overcrowding, and directed orders to reduce overcrowding that must then be implemented by the state. In February 2009, the federal three-judge panel on prison overcrowding issued a tentative ruling finding that prison overcrowding was the primary cause for the state's failure to deliver a constitutional level of medical and mental health care in the prison system. The ruling included directing the state to develop a plan to reduce the prison population to 120% or 145% of the prison's design capacity over a two- to three-year period. According to the CDCR, this population cap would result in a release order of approximately 37,000 to 58,000 state prison inmates. In August 2009, the federal three-judge panel issued its final ruling ordering the state to issue its state prison population reduction plan within 45 days that would reduce the state's prison population to 137.5% of its prison design capacity. In September, the state complied with the three-judge panel's file ruling and submitted its plan. In October, the three-judge panel rejected the state's prison population reduction plan citing several reasons for rejecting the plan; primary among them, was the state's failure to reduce the prison population to 137.5% of the state prison system's design capacity within two years. (The state's September plan only reduces the prison population to 166% of design capacity.) The federal court ordered the state to submit a new plan, and indicates that should the state not submit a plan that complies with the court's August 2009 order, that the court will be left with no other alternative than to develop its own plan and order the state to implement it.



COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE ~ PROBATION Contact: Patty Mazzilli, Chief Probation Off.; E-Mail: <u>pmazzilli@sjgov.org</u>; Ph. (209) 468-4070

9. Title: Continued Funding for Juvenile Justice Grant Programs

Issue: There continues to be a lack of funding for critical local juvenile justice programs.

<u>Legislative Platform</u>: Support legislation and budget proposals which would provide a stable funding source for local juvenile justice programs, including the Juvenile Justice Crime Prevention Act, Juvenile Probation and Camps, and the Youthful Offender Block Grant programs.

Background: Over the past year, state funding for local law and justice programs has been shifted from a stable general fund funding source to the less stable Vehicle License Fee (VLF) funding. Specifically, the Juvenile Justice Crime Prevention Act, and the Juvenile Probation and Camps Funding have been moved to the less stable VLF funding source. It is critical that these important programs continue to receive State support, and that stable funding be provided. Additionally, the State established the Youthful Offender Block Grant program to provide needed resources to local Probation agencies aimed at reducing the population of youth in state custody. While this funding has remained stable, and in fact has increased in the past three years, it is critical that this funding continue to be supported by the State, and that it also remain in a stable funding mode to allow for proper planning of services to youth.



COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE Contact: Steve Moore, Sheriff; E-Mail: <u>smoore@sjgov.org</u>; Ph. (209) 468-4311

10. <u>Title</u>: Amend Penal Code Section 370 - Public Nuisance to Assist in Combating Criminal Street Gang Violence

Issue: There are many locations in San Joaquin County that have a history of documented criminal gang activity and serve to enable the criminal street gang members to meet and spread the influence of gangs throughout the communities.

Legislative Platform:

1. Seek and support legislation, similar to AB 891 (2009-Berryhill), which would make it unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any premises or properties in the State of California to have any unlawful activities of criminal gangs, as defined in Penal Code 186.22, 186.22a, and 186.25, and Health and Safety Code Section 11570.

2. Seek and support legislation that would provide the ability to order evictions in conjunction with owners of the property, based on civil nuisance.

3. Seek and support an alternative solution by amending Civil Code 3485 (a) adding illegal conduct involving gangs to the Section that already includes weapons and ammunition. This was passed as AB 530 (2009).

Background: An amendment in the State's public nuisance laws is needed to assist local law enforcement to combat the presence of criminal street gangs within our communities. Within the neighborhoods of San Joaquin County, there are several well known locations that allow identified gang members to meet, associate, and spread the influence of a gang throughout the community. In a sense, these locations are enabling the criminal street gang to gain a stronger hold on the neighborhoods and children. Many locations have a long history of documented criminal activity. In many instances there are adults in control of these homes that are sympathetic to the gang lifestyle, and enable gang behavior and criminal activity. A change in the State's Penal Code Section 370 - Public Nuisance, would allow law enforcement to address some of these chronic issues by holding accountable those in control of said properties.



COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE Contact: Steve Moore, Sheriff; E-Mail: <u>smoore@sjgov.org</u>; Ph. (209) 468-4311

11. <u>Title</u>: Unreimbursed Trial Court Expenditures

Issue: Rule 810 of the California Rules of Court specifically excludes some costs which are clearly court-related, thus shifting those costs to the counties. Furthermore, the Sheriff is mandated to provide courtroom security. Therefore, the State should fund all costs associated with court security.

Legislative Platform: Support legislation that would:

1. Expand the definition of "allowable" trial court expenditures under Rule 810 of the California Rules of Court to include all court-related costs that are currently paid by counties;

2. Provide a budget appropriation to fund "allowable" costs under the Superior Court Law Enforcement Act of 2002 (SB 396); and

3. Support legislation that would require local courts to pay actual cost for provision of security services or authorize the Sheriff to reduce services as necessary to meet the budget reductions made necessary by a local court.

Background:

<u>Rule 810</u>

Local trial courts receive funding only for expenditures falling under categories listed in Rule 810 of the California Rules of Court prepared by Judicial Council. Rule 810 specifically excludes some costs which are clearly court-related, thus shifting those costs to the counties. Examples include the courts' fair share of building and grounds maintenance in the courthouses, juror parking, bus passes, office overhead, in-custody defendant transportation, and holding cell personnel necessary for the court security function. The Superior Court Law Enforcement Act of 2002 (SB 396), Section 69927 (4), defines, among other things, the cost of support staff for the court security function as "allowable" costs; however, provisions for funding were not provided by the Legislature.

Court Security

Local trial courts receive funding through the Administrative Office of the Courts (AOC) to operate. One of the areas funded in this method is the provision of Court Security Services by the Sheriff to the local courts. Pursuant to Government Code Section 69927, certain costs are reimbursable only to the extent funds are made available by the Legislature. In July 2009, the Legislature reduced the amount reimbursed to the Sheriff by 4.62%; however, requires the Sheriff to continue to provide the same level of Sheriff service to the Courts. This same legislation gave the local court the ability to refuse to pay for any post employment healthcare costs for Sheriff staff. In effect, the Legislature has shifted these costs to the Sheriffs, and ultimately to the counties. To the extent a court cannot pay the costs, the Sheriff shall not be required to provide the service.



AGRICULTURE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ AGRICULTURAL COMMISSIONER Contact: Scott Hudson, Agricultural Commissioner; E-Mail: <u>shudson@sjgov.org</u>; Ph. (209) 953-

12. <u>Title</u>: The Williamson Act

Issue: On July 28, 2009, the Governor eliminated all but \$1,000 in state funding for the Williamson Act Program, including subvention payments, from the 2009-10 State Budget.

<u>Legislative Platform</u>: Seek legislation or budgetary proposals which reinstate full state funding for the Williamson Act Program, including subvention payments to counties.

Background: Passed in 1971, the Williamson Act is a property tax exemption designed to keep agricultural land free of development, and give local governments a tool to use in implementing land use planning goals. The Williamson Act provides tax breaks to growers who contract to keep their land in agriculture for a period of 10 years (20 years under the "Super Williamson Act"). Growers' properties, which are under Williamson Act contracts, are assessed at a lower agricultural tax rate rather than a possible higher rate due to development potential. To encourage county participation in the program, the State reimburses counties for a portion of the revenue losses resulting from the lower assessments.

The State's 2008-09 Budget reduced the Williamson Act Subvention reimbursement to counties by 10%. The State's 2009-10 Budget essentially eliminated Williamson Act Subvention reimbursement payments to counties. This reduction in reimbursement reflects approximately \$1.9 million in revenue loss to San Joaquin County, and could foster the loss of San Joaquin County farmland.

Agriculture remains the County's top industry contributing in excess of \$6.8 billion to San Joaquin County's economy. The Williamson Act is one of the most effective tools in preventing the loss of farmland with over 543,000 acres in the County presently conserved by voluntary landowner participation in Williamson Act contracts.

In light of the State's actions to nearly eliminate Williamson Act Subvention reimbursement payments to counties, the San Joaquin County Board of Supervisors placed a moratorium, effective January 1, 2010, on applications for all new Williamson Act contracts (Appendix G, Page 117). This action was deemed necessary by the County in order to study and research the various options available to the County to address the loss of Williamson Act Subvention reimbursement from the State.



AGRICULTURE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ AGRICULTURAL COMMISSIONER Contact: Scott Hudson, Agricultural Commissioner; E-Mail: <u>shudson@sjgov.org</u>; Ph. (209) 953-

13. <u>Title</u>: Pierce's Disease/Glassy-winged Sharpshooter Program

Issue: The Glassy-winged Sharpshooter has entered the San Joaquin Valley and has threatened the grape industry with a deadly grape disease for which currently there is no cure. The increase or maintenance of State funding is critical to prevent the spread of the Glassy-winged Sharpshooter and to find an effective control for Pierce's Disease.

<u>Legislative Platform</u>: Support legislative efforts and budgetary proposals which would increase or maintain funding level of the California Glassy-winged Sharpshooter Program.

Background: The Glassy-winged Sharpshooter (GWSS) threatens San Joaquin County's grape industry because the pest rapidly spreads Pierce's Disease, a deadly grape disease with no cure. The disease also attacks other important fruit and nut crops. There has been an ongoing federal-state-county program in place for the past seven years to prevent the spread of GWSS and to fund research for an eventual control of Pierce's Disease. Continued State funding is critical to prevent the spread of GWSS and to find an effective control for Pierce's Disease. San Joaquin County receives \$355,699 annually in GWSS program funding to help protect its \$222 million grape crop. Loss of GWSS program funding would put the local grape industry in jeopardy.



AGRICULTURE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ AGRICULTURAL COMMISSIONER Contact: Scott Hudson, Agricultural Commissioner; E-Mail: <u>shudson@sjgov.org</u>; Ph. (209) 953-

14. <u>Title</u>: High-Risk Pest Exclusion Program

Issue: Funding for the State's mandated High-Risk Pest Exclusion Program has not kept pace with the increased movement of people and commerce. If pests and diseases are left unchecked, California could easily serve as a gateway to the entire nation for devastating plant pests and disease vectors. Such an outcome could cost billions of dollars in pest eradication efforts and further threaten our economy and domestic food supply.

<u>Legislative Platform</u>: Support legislation and budgetary proposals which would maintain or provide full funding for the State mandated and County operated High-Risk Pest Exclusion Program.

Background: Foreign pests and diseases such as the Mediterranean Fruit Fly, Japanese Beetle, Light Brown Apple Moth, and Red Imported Fire Ant continue to threaten California's \$32 billion agricultural industry. The purpose of the County-operated High-Risk Pest Exclusion Program is to protect California's agriculture by preventing foreign pests and diseases from entering and establishing themselves in California. This prevention is accomplished through inspections of foreign plant material at shipping terminals such as nurseries, domestic airports, post offices, and express carriers (UPS, FedEx, etc.), and similar locations. The High-Risk Pest Exclusion Program is one of the largest and most important programs for San Joaquin County's agricultural industry.

The State Legislature has appropriated \$5.5 million, or partial funding, for the State-mandated High-Risk Pest Exclusion Program operated by the County. However, almost \$17 million is needed to fully fund this critical agricultural program statewide. San Joaquin County receives \$204,451 for its High-Risk Pest Exclusion Program. However, approximately \$360,000 is needed to fully fund the program. Funding to exclude these pests would be less expensive than the subsequent damages and costs of eradication should these insects become established.



ASSESSOR ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ASSESSOR-RECORDER-COUNTY CLERK Contact: Ken Blakemore, Assessor; E-Mail: <u>kblakemore@sjgov.org</u>; Ph. (209) 468-2649

15. <u>Title</u>: Property Tax Administration Program

Issue: Elimination of the Property Tax Administration Grant program.

Legislative Platform:

1. Support budgetary, legislative, or executive action to restore funding to the property tax administration program, subject to the Board of Supervisors' approval of the distribution of the funds.

2. Provide funding for the statewide Property Tax Collection System.

Background: The Property Tax Administration Program provided \$60 million to counties to assist in funding the administration and collection of property taxes. The 2005-2006 State Budget eliminated the Property Tax Administration Grant program; and there remains significant reticence to provide State funding for the property tax system, despite the efforts being made to develop alternative proposals to restore this funding.



CHILD SUPPORT SERVICES ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ CHILD SUPPORT SERVICES Contact: Judith Grimes, Director; E-Mail: jgrimes@sjgov.org; Ph. (209) 468-8005

16. <u>Title</u>: Local Child Support Agencies

Issue: Insufficient funding and the elimination of Performance-Based Funding, has had an adverse impact on child support collections and performance.

<u>Legislative Platform</u>: Support legislation which would restore Performance-Based Funding by mandating a minimum baseline annual State share of cost for each Local Child Support Agency to be equal to 13.6% of the total previous year's collections received by each Local Child Support Agency.

Background: Prior to the creation of the California Department of Child Support Services, a combination of State and federal incentive payments equal to 13.6% of total annual child support collections were allocated to Local Child Support Agencies (LCSA) (2007 California Family Laws and Rules, Section 17704, State and Federal Child Supportive Incentives, Item B1). Those funds were utilized as match funds to draw down federal funding, which resulted in a 34% state and 66% federal ratio. As LCSAs improved their collection performance and increased collections, their annual State allocation increased, resulting in larger annual budgets to enhance collections.

State baseline funding for LCSAs has been held at 2001 funding levels, resulting in no increases in funding to offset annual operational cost increases for the past several years. To stay within budget allocations, LCSAs have had to continually cut costs by reducing staffing levels. Prior to 2001, child support collections experienced growth in the rate of increased collections. However, since 2001, the rate of increase in child support collections has decreased, resulting in reductions to child support enforcement staffing levels. In addition, staffing level reductions has increased the risk of non-compliance with federal performance guidelines, jeopardizing the level of federal incentive funds available to the State and LCSAs.

Adequate funding of LCSAs could result in significant annual increases in child support collections, and would serve as cost avoidance for numerous health and welfare programs. Increases in child support collections often result in the recovery of public assistance payments, which generates State revenues.



COMMUNITY DEVELOPMENT ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ COMMUNITY DEVELOPMENT Contact: Kerry Sullivan, Director; E-Mail: <u>ksullivan@sjgov.org</u>; Ph. (209) 468-3140

17. <u>Title</u>: Housing Foreclosure Prevention and Mitigation

Issue: San Joaquin County ranks within the top five jurisdictions in the State, and in the nation, as most severely impacted by the housing foreclosure crisis.

<u>Legislative Platform</u>: Support legislation or a budget proposal which would continue to provide local jurisdictions with state funding for foreclosure prevention counseling programs, and for purchasing, redeveloping, and selling foreclosed properties to low income buyers.

Background: Since January 2007, San Joaquin County has experienced over 20,000 residential foreclosures and there is no foreseeable end. This rate equates to almost one in every twenty homes being foreclosed upon, ranking the County within the top five jurisdictions in the State and in the nation as most severely impacted by the housing foreclosure crisis.

Foreclosures impact families, neighborhoods, and communities through displacements, blight, increased crime, and reduced property values. Foreclosures impact local government through reduced property tax revenues and increased demand for social services and law enforcement. Delays in addressing the national home foreclosure issues will continue to have a significant impact on the County's budget in the form of reduced property tax revenues and increased demand for services.



COMMUNITY DEVELOPMENT ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ COMMUNITY DEVELOPMENT Contact: Kerry Sullivan, Director; E-Mail: <u>ksullivan@sjgov.org</u>; Ph. (209) 468-3140

18. <u>Title</u>: Homelessness Prevention

Issue: San Joaquin County continues to experience high foreclosure and unemployment rates, resulting in a significant increase in its homeless population.

<u>Legislative Platform</u>: Seek, advocate, and support legislation or budgetary proposals which would provide local jurisdictions with ongoing entitlement funding to operate homelessness prevention programs.

Background: The recent economic downturn has resulted in an increase in property foreclosures and job losses in San Joaquin County. Because of this, homelessness has significantly increased in the County. Homelessness is a very undesirable condition, both for the people it affects and for society in general.

A Homeless Prevention Program would provide assistance to avert housing loss through supportive services, mediation, and cash assistance for rent and mortgages. Furthermore, a Homeless Prevention Program would divert demand for social services, which continue to be heavily impacted by budget reductions. Most often, homeless persons have poor health, and homeless children experience developmental delays and behavioral problems, and perform poorly at school. Failure to provide short-term financial assistance and social services to households facing homelessness will result in an increased demand for other county services, a breakdown of families, and potentially the beginning of a long-term cycle of poverty and homelessness.



COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH Contact: Donna Heran, Director; E-Mail: <u>dheran@sjcehd.com</u>; Ph. (209) 468-3429

19. <u>Title</u>: Water Quality Standards for Recreational Use of Fresh Waters

Issue: There are no State enforceable minimum enforceable standards or requirements for bacteriological monitoring of public freshwater recreational bathing areas and beaches at inland rivers, lakes, and the Delta.

Legislative Platform:

1. Support legislation which would set enforceable minimum bacteriological standards for freshwater bodies, such as public access lakes, rivers, the Delta, and other freshwater bodies that promote and allow swimming and other body-contact sports.

2. Support legislation or budgetary proposals which would provide sufficient funding to establish and administer a local water quality monitoring program.

Background: Since 1998, the <u>State has had enforceable minimum standards for bacteriological</u> <u>monitoring of ocean beaches</u> frequented by recreational users. Legislation signed by the Governor in 2004 requires water quality monitoring at San Francisco Bay beaches. However, <u>there are no</u> <u>State enforceable minimum standards or requirements for monitoring of freshwater</u> recreational bathing areas and beaches at inland rivers, lakes, or the Delta.

Health risks associated with recreational use of freshwater bodies warrant establishing an enforceable standard framework for monitoring. Such legislation would provide regulatory certainty and clarity for the State and local regulators of freshwater bathing areas, and would serve to control the spread of costly and dangerous outbreaks that could negatively affect the well-being of California's most vulnerable population.

The California Department of Public Health's website includes draft <u>guidelines</u> for freshwater beaches; however, <u>no State enforceable minimum standards</u> (regulations) exist for bacteriological monitoring and testing. Additionally, a State funding source and public notification criteria (i.e., requirements for posting, closing, and the reopening of public freshwater bathing areas after bacteriological problems are identified) have not been established.

SB 1438 (Florez – 2001), if passed, would have established freshwater minimum standards for freshwater bathing and beaches. The legislation was re-introduced in 2005 (SB 429-Florez), was passed by the Legislature; however was vetoed by the Governor. The U.S. Environmental Protection Agency is in the process of developing new bacteriological criteria for all recreational waters. Reportedly, the bacteriological criteria will include enforceable minimum standards for bacteriological monitoring of freshwater recreational bathing areas and beaches at inland rivers, lakes, and the Delta; the criteria is anticipated by October 2012.



COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH Contact: Donna Heran, Director; E-Mail: <u>dheran@sjcehd.com</u>; Ph. (209) 468-3429

20. <u>Title</u>: On-site Wastewater Treatment System Regulations

Issue: The State Water Resources Control Board's draft regulations for AB 855 (as drafted on November 7, 2008) would negatively impact approximately 25,000 residents and business in San Joaquin County.

<u>Legislative Platform</u>: Support legislation similar to AB 268, AB 580, AB 916, as well as regulatory efforts to address problems associated with implementation of AB 885 – On-site Sewage Treatment Systems enacted in 2000; and support efforts to revise the State Water Resources Control Board's draft regulations for implementing AB 855 to adequately address issues identified by San Joaquin County.

Background: In September 2000, AB 885 (Jackson) was enacted into law, requiring the adoption of regulations for the permitting and operation of the State's 1.2 million onsite wastewater treatment (septic) systems. On November 7, 2008, the State Water Resources Control Board (SWRCB) released draft statewide regulations. The regulations, as drafted, would potentially have far-reaching impacts to approximately 25,000 residents and businesses in San Joaquin County that utilize on-site septic systems for sewage disposal, as well as to local regulatory agencies. In summary, the regulations require additional oversight and expense for septic system site evaluation and design, well water monitoring, septic tank inspections, and performance standards. There is widespread opposition to the regulations because they fail to adequately acknowledge the potential costs and difficulties associated with implementation. In addition, the regulations fail to document the scientific basis for certain requirements, provide clear enforcement provisions, or consider local septic system programs and standards already in place that are protective of public health and the environment.

AB 268 (2009-Gaines), AB 580 (2009-Huber), and AB 916 (2009-Logue) were introduced in the 2009-10 California legislative session. AB 268 (as amended April 13, 2009) if enacted, would repeal the AB 885 law altogether (sections 13290-13291.7 of the California Water Code); AB 580 (as amended June 1, 2009) if enacted, would specify that in addition to the Regional Water Quality Control Board, exemption criteria for the standards may also be established by the SWRCB, and encourages a three-tiered system of meeting the regulation requirements; and AB 916, which failed passage, proposed to change the draft regulations to 'recommended' instead of mandatory standards.



COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH Contact: Donna Heran, Director; E-Mail: <u>dheran@sjcehd.com</u>; Ph. (209) 468-3429

21. <u>Title</u>: Food Product Recall Technology

Issue: The Salmonella outbreak in peanut products is the most recent example of how contaminated foods can end up on store shelves threatening consumer safety. There must be measures in place to ensure that recalled food is not sold to customers.

<u>Legislative Platform</u>: Support legislation, similar to SB 550 (2009-Florez) currently pending in the Legislature, that would require retail food stores to program their Point-of-Sale equipment to prevent products, subject to recall, from being sold to customers.

Background: San Joaquin County has recently been involved in the recall of several types of food products through retail food stores (i.e., grocery stores). California law requires retail food stores to remove products that are the subject of a recall from their shelves. Unfortunately, some products are inadvertently overlooked in the stores removal process, consequently, products recalled from retail food stores are sold to customers. SB 550 (Florez), as amended on August 31, 2009, would require retail food stores to program their point-of-sale (POS) equipment to prevent products subject to recall from being sold to customers. The POS system would notify the employee that the product is subject to a recall, and prevent sale of that product to the customer.

The recent Salmonella outbreak in peanut products is one example of how contaminated foods are found on store shelves threatening consumer safety. The products were originally produced in southwest Georgia, but were distributed across the nation. According to the Centers for Disease Control, this outbreak began in September of 2008. A recall was not issued until January of 2009, listing several hundred recalled products. Over 2,100 products have been voluntarily recalled, and the list continues to grow. In light of these facts, there must be measures in place to ensure that recalled food is not sold to customers.



COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH Contact: Donna Heran, Director; E-Mail: <u>dheran@sjcehd.com</u>; Ph. (209) 468-3429

22. <u>Title</u>: Food Safety Certifications

Issue: There is a need, from an environmental health perspective, to require food handlers to maintain a valid food handler certificate during their employment as food handlers.

<u>Legislative Platform</u>: Support legislation that would require that all food handlers obtain and maintain a valid food handler card for the duration of his or her employment as a food handler, and would authorize online accredited food safety certification examinations.

Background: California law currently requires an owner or employee of a food facility to have successfully passed an approved and accredited food safety certification examination. Pending legislation, specifically SB 453/602 (2009-Padilla), would require that at least one of the accredited food safety certification examinations be offered online. The draft bills would further require that all food handlers obtain a food handler card within 30 days of their date of hire, and to maintain a valid food handler card for the duration of employment as a food handler. Similar bills have been implemented in other states and food-related illnesses have been shown to drop substantially as an outcome.



COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH Contact: Donna Heran, Director; E-Mail: <u>dheran@sjcehd.com</u>; Ph. (209) 468-3429

23. <u>Title</u>: Recruitment and Retention of Public Health Workers

Issue: Lack of public health workers.

<u>Legislative Platform</u>: Seek and support the establishment of a Public Health Workforce Scholarship Program and a Public Health Workforce Loan Repayment Program as an incentive to increase the supply of public health and environmental health professionals in an effort to mitigate an anticipated public health preparedness workforce shortage.

Background: The ability of the public health system to prevent, respond to, and recover from bioterrorism, infectious disease outbreaks, and other health threats depends on the existence of adequate numbers of well-trained public health and environmental health professionals. The current public health system has an aging staff nearing retirement with no clear influx of highly-skilled and capable employees to fill the void.



HEALTH CARE ~ Legislative Projects

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY Contact: Kenneth Cohen, Director; E-Mail: <u>kcohen@sigh.org</u>; Ph. (209) 468-7031

San Joaquin County's Health Care Services Agency (Agency) is the safety-net provider for the community. Due to fiscal constraints, the Agency is underinvested in information technology. Operating budgets have very limited capacities to fund major improvements and changes. The data infrastructure of the Agency has become less efficient in tracking the treatment of patients, maintaining accounts, and assuring appropriate revenue tracking. The Agency has developed a strategic plan for information technology services to guide the County's priorities given limited funding. State and federal government assistance toward technology improvements is essential in maintaining the viability of the Agency as a cost-effective safety-net provider. Following is the Agency's top health care technology project:

24. <u>Title</u>: Electronic Health Records System Project

<u>Legislative Project Appropriations Request</u>: Seek, advocate, and support legislation and/or budgetary appropriations to fund an Electronic Health Records System project.

Background: The Clinical Data Repository is a web-enabled health care information system with wireless capabilities that brings together all clinical and financial data. This system provides a single point of entry for clinicians and other staff to obtain real-time information to support a patient's medical care. The system includes a Computerized Provider Order Entry system that allows for ordering tests and procedures and receiving results of those orders online. In short, this system creates patient-centric electronic medical records.

Appropriation Request: \$900,000 Total Project Cost: Approximately \$1.2 million



HEALTH CARE ~ Legislative Projects

COUNTY OF SAN JOAQUIN ~ PUBLIC HEALTH SERVICES AGENCY Contact: William Mitchell, Director; E-Mail: <u>wmitchell@sicphs.org</u>; Ph. (209) 468-3413

25. <u>Title</u>: Public Health Laboratory Project

<u>Legislative Project Appropriations Request</u>: Seek, advocate, and support legislation and/or budgetary appropriations to provide funding assistance for a new local public health laboratory.

Background: A new state-of-the-art public health laboratory structure is needed on the Public Health Services complex. The San Joaquin County Public Health Laboratory has been designated as one of only a handful of Level B laboratories for the identification of agents that can be used as weapons of mass destruction. However, the existing facility is not sufficient for the necessary level of bio-containment capacity. The San Joaquin County Health Care Services Agency has developed, and is implementing, a bio-terrorism preparedness and public health infrastructure plan.

(Project Literature Available)

Appropriation Request: \$2.0 million <u>Total Project Cost</u>: Approximately \$10.5 million

26. <u>Title</u>: Public Health Facility Expansion Project

<u>Legislative Project Appropriations Request</u>: Seek, advocate, and support legislation which would create a funding program to construct new public health facilities.

Background: Many public health departments were constructed in the 1960s with Hill-Burton funds. These facilities are now outdated and insufficient to support current state-of-the-art public health efforts. The San Joaquin County Public Health facility was built 40 years ago, is too small, and is in need of major repairs. The San Joaquin County Board of Supervisors approved, in principle, the future building of Public Health facilities, giving priority to a new Public Health Laboratory (see item above). The primary objective is to: 1) consolidate Public Health operations from currently leased space onto a single site, 2) plan sufficient space for future growth, and 3) partner with other stakeholders with regard to the programs and services offered.

Appropriation Request: \$5.0 million <u>Total Project Cost</u>: Approximately \$17.6 million



HEALTH CARE ~ Legislative Projects

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY Contact: Kenneth Cohen, Director; E-Mail: <u>kcohen@sigh.org</u>; Ph. (209) 468-7031

27. <u>Title</u>: San Joaquin General Hospital Facility Replacement Project

<u>Legislative Project Appropriations Request</u>: Seek, advocate, and support legislation and/or budgetary appropriations to fund a facility replacement for San Joaquin General Hospital.

Background: The "Old Towers" Building at San Joaquin General Hospital was built in the early 1930s and is well past the usual life span for a critical health facility. Although San Joaquin County requested, and received, an extension on the replacement of the building for seismic integrity until 2020, the continuous maintenance and deteriorating infrastructure of this facility is costly and inefficient to use.

Appropriation Request: \$5 million Total Project Cost: \$45 million

28. <u>Title</u>: Adolescent Substance Abuse Facility Project

<u>Legislative Project Appropriations Request</u>: Seek, advocate, and support legislation and/or budgetary appropriations to provide funding assistance for an Adolescent Substance Abuse Facility project.

Background: For several years, San Joaquin County has identified a significant need for a residential substance abuse treatment facility for adolescents ages 14 to 18. Studies conducted conclude that methamphetamine appears to be the drug most used; however, alcohol is the major drug of choice among adolescents. It is estimated that approximately 2,000 San Joaquin County youths have a serious substance abuse problem and are in need of treatment. Currently, the only available option for adolescents is outpatient services. If an adolescent needs more than outpatient counseling, there are no available treatment options.

(Project Literature Available)

<u>Appropriation Request:</u> \$2.5 million
<u>Total Project Cost</u> : Approximately \$5.5 millior



LEGISLATIVE PRIORITIES ~ Health Care

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY Contact: Kenneth Cohen, Director; E-Mail: <u>kcohen@sjgh.org</u>; Ph. (209) 468-7031

29. <u>Title</u>: Health Care Reform

Issue: Thousands of San Joaquin County residents lack health care coverage.

<u>Legislative Platform</u>: Advocate and support legislation which would provide expanded health care, including preventive and treatment services; and ensure that the County is protected from unforeseen liability and/or unfunded service obligations resulting from health care reform.

Background: California counties are required, under Welfare and Institutions Code Section 17000, to provide health care services to the medically indigent. Each county may define a medical indigence standard appropriate to its own local community in terms of income and assets. Counties furnish medical care either directly or by contract through a variety of delivery mechanisms.

The provision of health care services is only a portion of the obligation counties have in promoting the health of their communities. The San Joaquin County Health Care Services (HCS) Agency also provides mandated State- and federally-sponsored public health, mental health, and substance abuse services that benefit the Central Valley region as a whole. In addition, San Joaquin County's HCS Agency provides mandated inmate health care, including dental and other services which may not be considered and/or covered under a health care expansion/reform (see pages 57 and 67). HCS also provides health care to a significant number of undocumented adults.

Although San Joaquin County supports universal access to affordable health care, reform efforts/measures need to address specific issues to ensure the County is protected from unforeseen liability and/or unfunded service obligations. Otherwise, the County may be left with new and unfunded mandates, subjected to new litigation and case law, insufficient funding for new and undefined populations, and increased requirements to fund these new obligations. Additionally, the following eight concepts* must be addressed in order to avoid disruption in the provision of essential health care services:

- 1) Financing
- 2) Coverage
- 3) Access
- 4) Affordability
- 5) Prevention
- 6) Streamlining
- 7) Health Care Delivery System
- 8) Primary Care and Chronic Disease Management

*Eight concepts defined in detail in San Joaquin County Health Care Services General Policy Guidelines for Health Care Reform at: <u>http://www.sjgeneralhospital.com/docs/HCSGuidelines.pdf</u>



COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY Contact: Kenneth Cohen, Director; E-Mail: <u>kcohen@sigh.org</u>; Ph. (209) 468-7031

30. <u>Title</u>: Medi-Cal Hospital/Uninsured Care Demonstration Project Act

Issue: The State's current Medi-Cal Hospital Financing Section 1115 Waiver expires in 2010. A new waiver will be negotiated during the 2010 legislative session.

Legislative Platform:

1. Aggressively advocate and seek support to ensure sufficient funding to public safety-net hospitals for the provision of indigent health care.

2. Oppose legislative and administrative efforts to divert safety-net care pool, or other Medi-Cal or waiver related funds, away from public hospitals for other non-public hospital services.

Background: The Medi-Cal Hospital/Uninsured Care Demonstration Project Act (SB 1100, 2005, Chapter 560) implemented an agreement reached between the State and the Centers for Medicare and Medicaid Services (CMS) on California's Medi-Cal Hospital Financing Section 1115 Waiver. Among other things, this legislation revised the methods the State uses to pay hospitals that contract with the State under the Medi-Cal selective provider contracting program, and distributes funds through a Safety-Net Care Pool.

A key component of the waiver shifts all public hospitals to a form of cost-based reimbursement known as Certified Public Expenditures (CPE). Under this new system, public hospitals must now use CPE in order to claim federal Medi-Cal, Disproportionate Share Hospitals (SB 855), Supplemental Emergency Services Funds (SB 1255), and other federal funds previously received. Consequently, the CPE exists entirely on county hospital expenditures; and federal funds will be matched directly to the hospital's expenditures, rather than to the State General Fund.

The State must begin negotiations with CMS soon in order to develop a successor waiver for California. It is unknown if the current mechanisms will be retained or if they will be augmented or replaced with others such as a hospital tax or an expectation for counties to leverage realignment or other county funds.

However, any changes to hospital financing must guarantee that public hospitals do not receive less funding than they currently do, until and unless there is a demonstrated change in mandate, workload, and/or reimbursement. Hospitals and health care systems should receive more federal funding in the future as demand for services increase.



COUNTY OF SAN JOAQUIN ~ EMERGENCY MEDICAL SERVICES (EMS) Contact: Dan Burch, EMS Administrator; E-Mail:<u>dburch@sjgov.org</u>; Ph. (209) 468-6818

31. <u>Title</u>: County/Emergency Medical Services Agency Authority

Issue: Efforts exist to reduce or eliminate the counties' authority regarding the governance of emergency medical services.

Legislative Platform:

1. Support legislation and regulatory action to maintain existing laws and regulations empowering counties to oversee and manage emergency medical services, and oppose legislation and other efforts which would decrease counties' authority to control Emergency Medical Services systems.

2. Support legislative efforts to maintain the administration of emergency medical services and ambulance services at the county level.

3. Support legislation or regulatory reform which enhances the counties' authority and increases funding for Emergency Medical Services' oversight.

4. Oppose legislation and other efforts which would limit the authority of the local Emergency Medical Services Agency medical director in taking disciplinary action against a holder of an Emergency Medical Technician certificate.

5. Support legislative efforts to maintain an independent State Emergency Medical Services Authority aligned with the State Department of Public Health.

Background: For well over a decade, cities have gone before the Legislature to overturn the Emergency Medical Services (EMS) Act (Division 2.5 of the Health and Safety Code) and obtain authority to establish city-managed EMS and ambulance services. The 1997 decision by the California Supreme Court determined that cities and districts could continue services already provided but could not expand the scope of services without county approval.

Counties maintain that EMS and ambulance services must be provided on a countywide basis to ensure that providing services, even in remote areas of the county, would remain financially viable. Changing the system to jurisdiction-by-jurisdiction would mean that certain affluent areas could be "cherry-picked" by cities leaving the less affluent and remote areas to the counties to provide coverage. In addition, the County opposes revisions to the disciplinary authority of local EMS agencies, including efforts similar to AB 2554 (2006) which, if passed, would have seriously eroded the County's ability to control and ensure patient safety of the pre-hospital medical care system.



COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY Contact: Kenneth Cohen, Director; E-Mail: <u>kcohen@sjgh.org</u>; Ph. (209) 468-7031

32. <u>Title</u>: Shortages of Physicians, Nurses, and Ancillary Clinicians

Issue: San Joaquin County Health Care Services Agency departments continue to experience a significant shortage of physicians, nurses and ancillary clinical staff.

Legislative Platform:

1. Advocate and support legislation or budgetary efforts which would expand health-related training programs, especially for physicians, nurses and ancillary clinicians.

2. Support funding for health-training loans and scholarship programs, as well as funding for workforce outreach and development in schools and the community.

3. Support legislation which would provide incentives to encourage and attract health care professionals to practice in the Central Valley.

4. Continue to oppose legislation which would impose fees and/or fines relative to inspections and compliance with minimum nurse-to-patient staffing ratios.

5. Oppose legislation which would impose new staffing ratios or increase demand for physicians (including specialists and psychiatrists), registered and licensed vocational nurses, psychiatric technicians, clinical laboratory, radiology, and pharmacy technicians and technologists, and allied health care professionals without adequately addressing the supply of available licensed and/or ancillary staff.

Background: The health care industry continues to face a critical shortage of physicians, registered nurses, including public health nurses, and ancillary clinical staff (e.g. radiology, nuclear medicine, microbiology, ultrasound technology, respiratory therapy, physical therapy, and pharmacy). In past years, the State has provided funding for the expansion of nurse training programs. However, additional support to expand training programs, fund loan and scholarship programs, pursue career outreach and development programs, and incentivize location to underserved areas, is critical to address these career deficiencies in the healthcare industry.

In January 2002, the Governor released proposed nurse-to-patient staffing ratios as required by State law (AB 394, 1999). Compliance with the required staffing coverage has already created significant financial implications for San Joaquin General Hospital at a cost exceeding \$1.0 million per year. Legislative efforts continue to attempt to add ratios for other health care ancillary staff. To date, these efforts have been unsuccessful or have been vetoed.



COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY Contact: Kenneth Cohen, Director; E-Mail: <u>kcohen@sigh.org</u>; Ph. (209) 468-7031

Shortages of Physicians, Nurses, and Ancillary Clinicians (continued)

This regional staffing issue will be further exacerbated should the Federal Receiver's plan to locate a State prison health care facility, with up to 1,800 beds on a 144-acre site, in San Joaquin County be realized.

As there is already a critical shortage of qualified health professionals in San Joaquin County and the Central Valley, the Federal Receiver's project should be required to identify probable local impacts on providers, schools, colleges, and universities as a result of increased demand for, and the availability of local resources to address the impact on health care employment, including availability, recruitment, training, retention, and salary escalation.



COUNTY OF SAN JOAQUIN ~ SAN JOAQUIN GENERAL HOSPITAL Contact: Kenneth Cohen, Health Care Services Director; E-Mail: <u>kcohen@sigh.org</u>; Ph. (209) 468-7031

33. Title: California Children's Services

Issue: The Department of Health Care Services has imposed a new funding formula for California Children's Services, which includes a cap on administrative allocations. As a caseload-driven program, these actions may force counties to curtail services to handicapped children, reduce payments to providers, or incur additional county general fund costs to maintain services.

Legislative Platform:

1. Aggressively advocate and seek legislative or regulatory changes to mitigate impacts of the implementation of the State's proposed allocation methodology and revised funding formula.

2. Seek alternative funding or change in administrative structure for California Children's Services to mitigate the growth in this unfunded mandate to counties, or require the State to fully fund its statutory obligation for California Children's Services.

Background: The California Children's Services (CCS) program provides diagnosis and treatment services, medical case management, and physical and occupational therapy services to children under age 21 with CCS-eligible medical conditions, such as cystic fibrosis, hemophilia, cerebral palsy, heart disease, cancer, and traumatic injuries. CCS also provides medically necessary physical and occupational therapy to special education students. The CCS program has been in existence since the 1920s, and pre-dates Medi-Cal and Healthy Families.

Counties have historically been responsible for eligibility determination and case management services. Counties have had a long-standing share of cost for the non-Medi-Cal portion of the CCS program. Realignment requires counties to provide contributions to fund diagnosis, treatment, and therapy up to the level of their actual expenditures for fiscal year 1990-91, unless the State CCS program certifies that a lower level of funding is sufficient. The State made a commitment to match one dollar for each dollar a county appropriates for CCS expenditures above its Maintenance of Effort level and, until this year, has provided additional State matching funds if a county appropriated additional funds to meet the demands of its local program.

The State Department of Health and Human Services has not provided any guidance on reduction of service levels commensurate to the revised State budget allocation for CCS. Although statute governing CCS is laden with "to the extent funds are available" language, the State generally administers the program as an entitlement with no guidance regarding adjustments to program eligibility or services if there are insufficient State or county funds. State CCS personnel have advised counties that the State CCS must continue to conduct eligibility determination and authorize treatment even if there are insufficient funds in the county CCS account.



COUNTY OF SAN JOAQUIN ~ BEHAVIORAL HEALTH SERVICES Contact: Victor Singh, Director; E-Mail: <u>vsingh@sjcbhs.org</u>; Ph. (209) 468-2080

34. <u>Title</u>: Provision of Community Mental Health Services – Diversion of Proposition 63 Funds

Issue: Proposals to divert Proposition 63 Mental Health Services Act funds, away from community mental health systems in order to fill the State's budget gap is of significant concern to San Joaquin County. In addition, San Joaquin County continues to be concerned about the erosion of state funding and support for core mental health services.

Legislative Platform:

1. Oppose legislation, administrative efforts, and/or budgetary proposals which would serve to divert Proposition 63 funds, the Mental Health Services Act of 2004, to address the State's budget shortfall.

2. Oppose additional reductions in state funding for mental health services that will result in the State shifting its costs to the County.

3. Support legislative and budgetary efforts which would serve to enhance comprehensive community-based treatment of mental health illness.

Background: In 2004, California voters passed Proposition 63, or the Mental Health Services Act (MHSA). Proposition 63 does not add funding to existing programs, but rather provides for new programs that expand the capacity of existing mental health services. The loss of MHSA funds would result in the elimination of vital mental health services for children and adults with serious mental illness currently served by the County's mental health programs. Additionally, the impact of the investments that have been made through MHSA in county mental health systems would be erased. County mental health services have consistently demonstrated effective results in getting people with unmet mental health needs off the streets, into housing, employed, and out of the criminal justice system.

County mental health programs are already experiencing funding reductions due to decreases in revenues from state sales tax, vehicle license fees, reduction in Medi-Cal funding, and the elimination of state general fund-supported categorical programs (including the Integrated Services for Homeless Adults program, on which the MHSA was modeled). While budget reductions are inevitable in today's challenging fiscal environment, funding from the MHSA has provided needed resources, and has kept county mental health systems from total collapse.

The dismantling of programs while building a transformed system is extremely damaging and counterproductive to local service providers and their recipients. The MHSA prohibits the State from making any change to the financing structure of mental health services that increases a county's share of costs or financial risk for mental health services "unless the State includes adequate funding to fully compensate for such increased costs or financial risk."



COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES Contact: Kenneth Cohen, Director; E-Mail: <u>kcohen@sjgh.org</u>; Ph. (209) 468-7031

35. <u>Title</u>: Medi-Cal for County Correctional Facility Inmates

Issue: State law should mirror federal law and provide for Medi-Cal benefits to be suspended, not discontinued, while the recipient is incarcerated, and immediately reactivate the Medi-Cal benefits upon the recipient's release from incarceration to permit him/her to quickly obtain needed mental health and substance abuse treatment, and to help break the expensive cycle of re-incarceration or hospitalization.

<u>Legislative Platform</u>: Support legislation which would suspend rather than discontinue an individual's Medi-Cal coverage during incarceration.

Background: State law provides that Medi-Cal benefits generally cannot be provided to incarcerated individuals. The State Department of Health Services has interpreted this law to mean that Medi-Cal benefits should be discontinued when an individual is incarcerated. However, federal law does not require states to terminate inmates' eligibility. Under federal law, the inmate may remain enrolled in Medicaid, although services received while incarcerated are not covered.

If State law mirrored federal law, an incarcerated individual's Medi-Cal benefits would be suspended, not discontinued, and quickly reactivated upon the individual's release from a detention facility. The lack of access to medical care is an acute issue for many individuals with mental health and/or substance abuse issues when they are released from state and/or county detention facilities. These individuals are often in need of medical care for severe mental health and/or substance abuse conditions. Delays in securing mental health treatment often has a devastating effect on the individual's ability to successfully adjust to society, and may contribute to the individual being quickly re-incarcerated or hospitalized.

Timely reactivation of Medi-Cal may also be a necessary tool in the development of a re-entry program for State prison inmates returning to their home county.



COUNTY OF SAN JOAQUIN ~ PUBLIC HEALTH SERVICES Contact: William Mitchell, Director; E-Mail: <u>wmitchell@sicphs.org</u>; Ph. (209) 468-3413

36. <u>Title</u>: Public Health Emergency Services

<u>Issue</u>: There needs to be a continuation of fair and equitable funding for public health emergency services.

Legislative Platform: Aggressively pursue and support:

1. Continuation of State funding for planning and responding to the medical/health consequences of terrorism, disasters, and other public health emergencies;

2. Development of equitable funding formulas which would consider the proximity of jurisdictions to high-profile targets, not based solely on the presence of such targets within jurisdictional boundaries; and

3. Flexibility with state agencies to ensure no fiscal penalties to counties if staff is pulled from categorically funded programs in order to respond to terrorism, disasters, or other public health emergencies.

Background: The terrorist activity occurring on and after September 11, 2001 identified the need to increase preparedness efforts and local public health jurisdiction response capabilities for dealing with terrorism, including bio-terrorism, at the local level. Hurricane Katrina (2005) identified the impact of natural disasters on local, state, and federal medical/health response capabilities. Pandemic influenza threatens to overwhelm an already fragile medical and public health system. County government is at a severe disadvantage in its ability to fund new programs to address these additional public health and safety issues.

Although federal funds have been appropriated for response to influenza (H1N1), sustained funding is needed to augment local programs to prepare for, and respond to, all forms of terrorism, natural disasters, and other related public health emergencies. Legislation is needed which would increase prevention and response capabilities and strengthen the partnerships between state, federal, and local agencies to effectively identify, prevent, and respond to the medical/health consequences of terrorism, disasters, or other public health emergencies. Funding formulas should consider the proximity to high-profile, high-impact targets. Nearby jurisdictions to such targets would likely be severely impacted through the provision of mutual aid to the impacted jurisdiction or by the influx of large numbers of people seeking shelter and/or treatment.

Currently, staff within local health jurisdictions is often funded by categorical grants. These jurisdictions are perceived to be in emergency preparedness and response activities. This mindset needs to be addressed at the State level to ensure a competent, trained workforce regardless of a salary funding stream or program assignment.



COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES Contact: Kenneth Cohen, Director; E-Mail: <u>kcohen@sigh.org</u>; Ph. (209) 468-7031

37. <u>Title</u>: Financial Assistance for Seismic Safety Hospitals

Issue: There is a need to fund State-mandated hospital seismic improvements.

Legislative Platform:

1. Support legislation which would provide financial assistance to hospitals, especially safety-net hospitals, to retrofit or replace facilities to meet State requirements, including the requirements of SB 1953 – Building Standards (1994-Alquist) and SB 306 – Health Facilities, Seismic Safety (2007-Ducheny).

2. Support modifications to the seismic regulations which would provide public hospitals increased flexibility to address the seismic compliance requirements in a cost-effective manner.

Background: SB 1953 (1994-Alquist) mandates that all hospitals meet the tiered requirements of the seismic safety code by January 1, 2008. SB 306 (2007-Ducheny) allowed health care facilities to apply for an extension of the 2013 seismic deadline to 2020 if the facilities could certify their status as a safety-net provider, and meet other criteria. In 2008, San Joaquin General Hospital applied for and received the extension. The County is required to provide the State with a Facility Master Plan in 2010.

Legislation, sponsored during the past several years, to provide financial assistance for hospitals to meet the State-mandated seismic requirements has not progressed due primarily to the State's overwhelming budgetary issues. Hospitals face higher expenditures for compliance, staffing ratios, new technology requirements, and rising pharmaceutical prices. If cost pressures continue unabated, public hospitals will have to reduce or eliminate services and close facilities. Earthquake compliance requires a well-coordinated approach to balancing financing, deadlines, and safety requirements. Further legislation or regulatory action is needed to mitigate and manage compliance costs, avoid access issues, ensure adequate access to funding, and provide for services to remain affordable and available.



COUNTY OF SAN JOAQUIN ~ BEHAVIORAL HEALTH SERVICES Contact: Victor Singh, Director; E-Mail: <u>vsingh@sjcbhs.org</u>; Ph. (209) 468-2080

38. <u>Title</u>: Reimbursement of Mental Health Services Costs for Special Education Students

<u>Issue</u>: Insufficient State funding and delays in reimbursement to counties has resulted in counties incurring costs for treatment to Special Education students.

<u>Legislative Platform</u>: Support legislation and/or budgetary proposals which would provide full and timely state reimbursement for costs incurred by county mental health for providing mandated mental health treatment to Special Education program students in accordance with AB 3632 (1984) - Special Education Pupils Program (Chapter 26.5 California Government Code).

Background: The Individuals with Disabilities Education Act (IDEA) (Title 20 of the United States Code 1400 et seq.) mandates schools to provide Special Education services, including mental health services, for Seriously Emotionally Disturbed (SED) children. IDEA entitles all children with emotional and physical disabilities to a free, appropriate public education that prepares them to live and work in the community. In 1984, the California Legislature passed AB 3632 that assigned and parceled out responsibility to state agencies and departments in meeting the goals and objectives of IDEA. AB 3632 assigned schools the responsibility to educate Special Education students, county mental health agencies the responsibility of provide mental health services, and the State Department of Social Services the responsibility of providing out-of-home care. In 1996, the State also shifted responsibility for mental health services of students placed in out-of-state residential facilities to county mental health agencies.

County data indicates that the cost of providing AB 3632 mandated services exceed the amounts budgeted by the State. Under existing State law, counties may file AB 3632 mandate claims for these costs. Therefore, San Joaquin County will continue to file mandate claims for costs incurred in providing State-mandated AB 3632 mental health services. To date, San Joaquin County Behavioral Health Services is owed in excess of \$1.0 million from the State for mental health services provided to SED students in previous years.



COUNTY OF SAN JOAQUIN ~ BEHAVIORAL HEALTH SERVICES Contact: Victor Singh, Director; E-Mail: <u>vsingh@sjcbhs.org</u>; Ph. (209) 468-2080

39. <u>Title</u>: Adolescent Substance Abuse Treatment

Issue: There is a lack of funding for treatment options for adolescents with substance abuse issues.

<u>Legislative Platform</u>: Support legislation and/or budgetary proposals which would provide increased State funding for adolescent behavioral health treatment programs (including an integrated mental health/substance abuse treatment component).

Background: For the past several years, San Joaquin County staff, the Mental Health Board, and the Juvenile Court have identified a high need for residential treatment for adolescents ages 14 to 18. It is estimated that approximately 1,500 to 2,000 San Joaquin County youths have serious substance abuse problems and are in need of treatment. Many of these youths have concomitant mental health issues that impede normal emotional development and maturation.

Protection of the mental health of vulnerable populations, including children and teens, is a continuing need that local behavioral health departments address through monitoring, assessment, intervention, and treatment. This protection includes the provision of residential and substance abuse services to people at high risk.



COUNTY OF SAN JOAQUIN ~ BEHAVIORAL HEALTH SERVICES Contact: Victor Singh, Director; E-Mail: <u>vsingh@sjcbhs.org</u>; Ph. (209) 468-2080

40. <u>Title</u>: Public Guardian/Conservator

Issue: Secure a sustained source of funding to support the Public Guardian/Conservator, and provide State reimbursement for mandates imposed on local Public Guardian/Conservator by the Omnibus Conservatorship and Guardianship Reform Act of 2006.

Legislative Platform:

1. Support legislative efforts and/or initiatives which would create and designate funding for current and future mandates placed on the Public Guardian/Conservator, while opposing any unfunded mandates.

2. Support legislation which would increase the Public Guardian/Conservator's existing fee structure as outlined in the Probate Code.

3. Oppose legislation that imposes any unfunded mandates on Public Guardian/Conservator.

Background: Public Guardians/Conservators are responsible for the estates of people who cannot care for themselves as a result of a serious physical illness, mental illness, or other disability. When a court determines that an individual is not capable of providing for his or her personal financial needs, the court assigns the Public Guardian/Conservator to manage those needs.

The Omnibus Conservatorship and Guardianship Reform Act of 2006 (AB 1363, 2006) significantly restructured the courts' review of conservatorships, primarily by increasing the number of court reviews and the frequency and scope of court investigations. The Act is expected to increase the cases referred to and managed by Public Guardians/Conservators, requiring Public Guardians/Conservators to undertake additional duties without reimbursement. The Public Guardian/Conservator currently receives no State funding/reimbursement for the new mandates imposed by AB 1363. In addition, the Public Guardian/Conservator does not receive adequate funding from the clients being served to cover the costs of providing the services. Since the public served often have limited resources, it is unreasonable to expect that the clients would be able to fully fund the cost of their Guardian/Conservator service.



COUNTY OF SAN JOAQUIN ~ BEHAVIORAL HEALTH SERVICES Contact: Victor Singh, Director; E-Mail: <u>vsingh@sjcbhs.org</u>; Ph. (209) 468-2080

41. <u>Title</u>: Parity for Mental Health in Insurance Coverage

Issue: There is inequity in insurance coverage between mental and physical health disorders in that the new parity law does not require insurers to offer mental health insurance.

<u>Legislative Platform</u>: Seek and support legislation or regulatory changes which would require insurance companies to provide coverage for mental illness consistent with coverage for physical illness.

Background: The Emergency Economic Stabilization Act, signed into law in October 2008, includes the Mental Health Parity and Addiction Equity Act of 2008 (HR 1424). This new law requires that insurance companies which offer mental health benefits do so in parity with other specialty services in terms of co-payments, deductibles, covered hospital days, etc. Although this new law is a major achievement, the parity measure does not actually require insurers to offer mental health benefits; the new law only requires parity for those that do offer mental health insurance. For those without mental health benefits, there are no provisions to serve the mental health needs of the covered individuals in their insurance plans. These individuals either do not have their mental health needs met, or they default to the safety-net, which is the County's Behavioral Health Services department. Use of County resources to meet the mental health needs of insured persons reduces the funding available to meet the needs of the truly indigent.



COUNTY OF SAN JOAQUIN ~ EMERGENCY MEDICAL SERVICES (EMS) Contact: Dan Burch, EMS Administrator; E-Mail: <u>dburch@sjgov.org</u>; Ph. (209) 468-6818

42. <u>Title</u>: Emergency Medical Services and Trauma Care Funding

Issue: Secure a sustained source of funding to support emergency medical services and trauma care.

Legislative Platform:

1. Oppose the redirection of any existing indigent care funding from public hospitals to compensate community physicians for uncompensated emergency care.

2. Oppose legislation which would increase the administrative burden of managing the distribution of Emergency Medical Services Maddy funds, or would change the distribution methodology to redirect funds from public hospitals.

3. Support legislation or an initiative which would create or designate new funding for uncompensated emergency, trauma services, and on-call coverage.

4. Support legislative efforts and/or an initiative to increase funding for hospital emergency rooms and trauma centers, county emergency medical services systems and agencies.

Background: Hospitals throughout the State provide a significant volume of emergency care to patients who do not have third-party insurance coverage. The financial impact is often greater on designated trauma centers located in urban areas. Over 50% of hospital emergency rooms operate at a net operating loss due to the significant volume of uncompensated care. During the past several years, there have been multiple legislative efforts to restructure existing indigent care funding programs (such as Proposition 99 and the Emergency Medical Services Maddy funds) to redirect existing funds to reimburse private community physicians for providing uncompensated emergency care, thereby reducing available funding to public hospitals such as San Joaquin General Hospital. Legislative efforts, including an initiative to provide new dedicated funding for uncompensated care in emergency rooms, should be supported.



COUNTY OF SAN JOAQUIN ~ PUBLIC HEALTH SERVICES Contact: William Mitchell, Director; E-Mail: <u>wmitchell@sjcphs.org</u>; Ph. (209) 468-3413

43. <u>Title</u>: Maternal, Child, and Adolescent Health

Issue: Protection of the health of vulnerable populations, including children, teens, and pregnant women, is a continuing need that local health departments address through monitoring, assessment, and assurance activities. These activities include the provision of support services to persons at high risk of poor health outcomes or premature death.

<u>Legislative Platform</u>: Support legislation and/or budgetary proposals which would: 1. Provide increased State funding for maternal, child, and adolescent health programs;

2. Protect children from environmental risks to their health, such as unintentional injuries, lead poisoning, and air quality; and

3. Ensure that women and adolescents have access to the unique prevention and health care services needed.

Background: San Joaquin County ranks in the bottom quartile in the State regarding infant mortality, late entry to and adequacy of prenatal care, health disparities, and various other measures accessing health care. Community-based and individual services are intended to reduce morbidity and mortality that are preventable, such as deaths from intentional and unintentional injuries. The State distributes funds to local health departments to support these activities. These funds are derived from various federal and State sources. The current funding does not adequately support education or home visitation services to families at risk. Maternal, child, and adolescent health are some of the core functions of public health. There is inadequate funding to meet many needs in these areas. The State provides an allocation that is matched with federal funds. Additional allocation of State funds would draw more federal match and an increased allotment for San Joaquin County.



COUNTY OF SAN JOAQUIN ~ HEALTH PLAN OF SAN JOAQUIN Contact: John Hackworth, Chief Executive Officer; E-Mail: <u>jhackworth@hpsj.com</u>; Ph. (209) 461-2211

44. <u>Title</u>: Expand Eligibility to the Healthy Families Program

Issue: Currently, there are approximately 23,000 uninsured children in San Joaquin County.

Legislative Platform: Advocate in support of legislation which would: 1. Expand eligibility in the Healthy Families Program to 300% Federal Poverty Level, and streamline enrollment mechanisms.

2. Increase reimbursement rates for Medi-Cal Health Plan, hospitals, and physicians; and support those health care reforms include Medi-Cal rate increases and actuarially sound rate reimbursement methodology.

3. Oppose reductions in eligibility or funding of the Healthy Families Program.

Background: The Healthy Families Program (HFP) provides medical, dental, and vision coverage to children with family incomes above the Medi-Cal eligibility limit of up to 250% of the Federal Poverty Level (FPL). The HFP covers children from birth to age 19 whose families do not have employer-sponsored or other health insurance.

Based on the UCLA California Health Interview Survey (published March 2007), approximately 11%, or 23,000 uninsured children reside in San Joaquin County; and at any given time up to 17.3%, or 36,000 children are uninsured in the County. Furthermore, approximately 96% of uninsured children are from households with annual family incomes of less than 300% of the FPL.



COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY Contact: Kenneth Cohen, Director; E-Mail: kcohen@sigh.org; Ph. (209) 468-7031

45. <u>Title</u>: County Jail and Juvenile Medical Services

Issue: The resources required to provide necessary jail medical services is inadequate.

Legislative Platform: Support legislation which would:

1. Require the inclusion of medical service and medical facility costs in projections for overall facility/operational costs as part of public funding for new and/or expanded county jail facilities.

2. Provide State funding of medical facilities and medical care for inmates in county correctional juvenile facilities.

3. Authorize county health care services to charge private health insurance plans for reimbursement of health care services provided to the enrollee while in custody.

Background: County costs for providing jail medical services continues to rise not only because jail population is expanding, but also due to court-mandated standards for care and the increasing prevalence of medical and mental health problems among inmates. Counties have a substantial financial commitment for jail medical services, emergency hospitalization of individuals in the custody of police or Sheriff, medical screening of all inmates after booking, and outpatient and inpatient medical care of individuals in the custody of the Sheriff after booking.



COUNTY OF SAN JOAQUIN ~ HEALTH PLAN OF SAN JOAQUIN Contact: John Hackworth, Director; E-Mail: jhackworth@hpsj.com; Ph. (209) 461-2211

46. <u>Title</u>: Seniors and Persons with Disabilities in Medi-Cal Managed Care

Issue: Seniors and Persons with Disabilities (SPD) beneficiaries would be better served in managed care environments where care and appropriate community-based services and supports can be coordinated, and cost effective treatments can be administered.

<u>Legislative Platform</u>: Support legislation which would provide for the entrance of Seniors and Persons with Disabilities into Managed Care.

Background: The 2009-10 State Budget, as revised in July 2009, references a federal waiver for Medi-Cal that would enable the entrance of seniors and persons with disabilities (SPD) into Managed Care. Presently, the SPD population is primarily served through the often disjointed services of physicians, hospitals and other ancillary services that accept fee-for-service (FFS) Medi-Cal. Seniors and persons with disabilities are on their own trying to coordinate care for complex medical conditions. When enrolled into Medi-Cal Managed Care, the Plans would be responsible for care coordination, and locating and arranging for the necessary specialists. A small number of the SPD beneficiaries are currently enrolled in Medi-Cal Managed Care.



COUNTY OF SAN JOAQUIN ~ HEALTH PLAN OF SAN JOAQUIN Contact: John Hackworth, Director; E-Mail: jhackworth@hpsj.com; Ph. (209) 461-2211

47. Title: Medi-Cal Managed Care Plans Rates and Rate Reimbursement Methodology

Issue: Government rate setting mechanisms, including those for the establishment of Medicaid (Medi-Cal in California) payments, are not based on actuarial or other sound rate reimbursement methodologies.

<u>Legislative Platform</u>: Advocate in support of actuarially sound rate reimbursement methodologies to be utilized for plans developed under health care reform, including any Medicaid rate adjustments.

Background: On average, the medical cost associated to Medi-Cal equates to 94 percent of every dollar that the Local Initiatives (LI) receive. The vast majority of the LI's are running significant Medi-Cal deficits. With insufficient capitation rates paid to the LI's and anticipated medical inflation of 10 percent or more, the deficit will only continue to rise.

A new methodology, based upon an actuarial methodology developed by Mercer, is going forward for implementation by the Department of Health Care Services. Given the significant operating losses on Medi-Cal business at this point, there is concern over entering into the new fiscal year with a new and yet unproven model of reimbursement. In addition to the rate methodology change being actuarially sound, it has been stated by both Mercer and DHCS that budget limitations can reduce the amount of reimbursement to plans citing the American Academy of Actuaries.



COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY Contact: Joseph Chelli, Director; E-Mail: <u>jchelli@sjgov.org</u>; Ph. (209) 468-1651

48. <u>Title</u>: Children's Shelter Funding for 601-type Youth

Issue: Lack of funding, and therefore programs and facilities, for 601-type Status Offenders has forced counties to maintain these more difficult youths as "300" dependents whenever possible, thereby making them eligible for placement in dependent children's shelters.

<u>Legislative Platform</u>: Advocate for flexible funding in collaborative system-of-care approaches through social services, juvenile justice, and health funding sources to develop residential treatment options and case management services for 601-type youth including:

1. Funding to increase counseling, supervisory, and support services in the County's children's shelter, and create incentives for taking in hard-to-place juveniles; and

2. Funding for the development of programs specific to dependent children who exhibit 601-type behavior.

Background: San Joaquin County is one of nine counties that have a county-operated children's shelter. Funding has always been a challenge, and most of the money comes from the County's Child Welfare allocation. However, lack of funding has forced counties to categorize these more difficult youths as "300" dependents whenever possible, thereby making them eligible for placement in dependent children's shelters.

Current regulations do not permit the housing of children classified as "601" in the same shelter as "300" dependents. Placement in these shelters results in a mixed population and places the truly dependent children at risk. One of the challenges involves an increasing number of juveniles who display behavior that is consistent with Welfare and Institutions Code Section 601, and are not able to be managed in shelters. These children are juveniles with more persistent and disruptive behavioral problems who have not yet committed crimes; therefore, they are not the responsibility of Juvenile Probation. Since this population is not responsive to traditional programs and treatments, non-traditional multi-disciplinary approaches are recommended. Along with an increasing number of developmentally challenged youth, these juveniles need more one-on-one supervision. This supervision in turn requires more staffing; but the funds are not available for more staffing. Moreover, the County finds it increasingly difficult to secure placements for these hard-to-place children. As a result, many of these juveniles require longer stays in the shelter; but State funding expires after 30 days. In these cases, services provided to children after 30 days become 100% county responsibility.



COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY Contact: Joseph Chelli, Director; E-Mail: <u>jchelli@sjgov.org</u>; Ph. (209) 468-1651

49. <u>Title</u>: Human Services Funding Deficit

Issue: The State's failure to fund actual county cost increases for mandated human service programs has led to a growing funding gap of nearly \$1 billion annually.

<u>Legislative Platform</u>: Oppose legislation or administrative efforts which would serve to institute performance standards, and penalize counties without first ensuring reasonable and predictable funding reflective of county statutory and programmatic responsibilities.

Background: While counties are legislatively mandated to administer numerous human services programs including Foster Care, Child Welfare Services, CalWORKs, Adoptions, and Adult Protective Services, funding for these services has been frozen at 2001 cost levels. This cost freeze has put the County in the untenable position of cutting services that the State expects the County to deliver to its residents, and/or to backfill the gap with county general funds. The lack of State funding strains the ability of the County to meet accountability standards. Static program funding levels shift costs to counties, and increase the county share of program costs above statutory sharing ratios, while at the same time, run contrary to the constitutional provisions of Proposition 1A.



COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY Contact: Joseph Chelli, Director; E-Mail: <u>jchelli@sjgov.org</u>; Ph. (209) 468-1651

50. <u>Title</u>: Child Welfare Services

Issue: Counties have not been provided adequate funding for the provision of mandated child welfare services – those aimed at protecting children from abuse and neglect.

Legislative Platform:

1. Strongly advocate in support of protecting existing funding levels while seeking adequate funding levels for mandated child welfare services.

2. Oppose budgetary proposals which would result in further reductions in funding for mandated child welfare services.

3. Strongly oppose legislation or budgetary proposals which include new child welfare services mandates without adequate funding.

4. Support legislation which would provide counties the resources needed in meeting mandated child welfare services outcome goals.

Background: In 1998, the California Legislature, through SB 2030 (Costa) required the State to conduct an evaluation of the adequacy of the child welfare services budgeting methodology, including appropriate caseload levels, supportive services, and prevention services. <u>It was determined that in order to meet the goals, standards, and desirable outcomes, a considerable increase in staffing levels was necessary</u>. Since that time, minimal increases in staffing has been provided. In order for outcome goals for children's welfare services to be met, county social workers need the time and resources to affect change.

The State of California is under a Performance Improvement Plan with the Federal Department of Health and Human Services. California's 58 counties are all under System Improvement Plans with the California Department of Social Services. These plans focus heavily on the federal outcomes which are: 1) Children first and foremost are protected from abuse and neglect, 2) Children are safely maintained in their homes whenever possible and appropriate, 3) Children have permanency and stability in their living situations, without increasing re-entry into foster care, 4) The family relationships and connections of children served by Child Welfare Services will be preserved, 5) Children receive services adequate to their physical, emotional, and mental health needs, 6) Children receive services appropriate to their educational needs, 7) Families have the enhanced capacity to provide for their children's needs, and, 8) Youth emancipating from foster care are prepared to transition to adulthood.

Current funding levels do not adequately support mandated services aimed at protecting children from abuse and neglect, providing family maintenance and reunification services, providing permanent child placement services (including long-term foster care, guardianship, and adoptions), and emancipation from foster care.



COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY Contact: Joseph Chelli, Director; E-Mail: <u>jchelli@sjgov.org</u>; Ph. (209) 468-1651

51. <u>Title</u>: Senior Services

Issue: Funding to support services for seniors and disabled adults has remained static or has decreased, while the cost for services and the demand for services continue to increase with the growing aging population. Furthermore, the cost associated with implementing the Independence Plus Waiver has not been provided by in the In-Home Supportive Services Administration by the State.

<u>Legislative Platform</u>: Support legislation and budget proposals which would, at a minimum, maintain current State funding levels, and increase in funding for services and programs for seniors, including, but not limited to, programs for individuals who are victims of elder abuse and exploitation, and for community-based services to provide the ability for seniors and disabled adults to remain safely in the community, thereby reducing the need for costly out-of-home care.

Background: In San Joaquin County, four separately funded programs assist seniors and disabled adults to live as independently as possible, are administered by the County Human Services Agency. The four programs are as follows: 1) Older Americans Act (OAA), 2) Community-Based Services Programs (CBSP), 3) In-Home Supportive Services (IHSS), and 4) Adult Protective Services (APS). The OAA provides funding for a wide array of services for seniors aged 60+, including Meals on Wheels, Homemaker Services, Legal Services, Respite, Day Care, Family Caregiver Support, Medication Management, Elder Abuse Prevention, and comprehensive information and assistance. The CBSP provides State-only funds for care management services, supplemental food, respite, Alzheimer services, and other senior services focused on assisting to successfully maintain a senior or disabled adult in the community, and avoid more costly nursing facility placement and/or frequent hospitalization. IHSS Administration provides staffing to complete a variety of support services, including ongoing assessments of client needs and medical verification of need for services. APS provides 24-hour, seven days-per-week emergency response to reports of elder/dependent adult abuse. In January 2007, financial institutions became mandated reporters for suspected financial abuse.

These programs are designed to assist seniors and adults with disabilities to live independently and safely, while avoiding unnecessary hospitalization, as well as premature admission to skilled nursing facilities. The reduction in emergency room visits, unnecessary hospitalizations, and premature admission to skilled nursing facilities results in a substantial savings to both Medicare and Medicaid and improves services for the quality-of- life for seniors and disabled adults within our community. Without substantial augmentation, these vital programs will not be able to respond to the increasing needs of our seniors, ultimately resulting in higher costs to both Medicare and Medi-Cal.



COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY Contact: Joseph Chelli, Director; E-Mail: <u>jchelli@sjgov.org</u>; Ph. (209) 468-1651

52. <u>Title</u>: Long-Term Health Care Facilities

Issue: State funding for the Long-Term Care Ombudsman Program was eliminated in 2008. There is a critical need to reinstate full funding for the program, and provide a dedicated source of funding for the Long-Term Care Ombudsman Program.

<u>Legislative Platform</u>: Strongly support legislation, including AB 935, introduced in 2009, which would require at least half of the funds in the State Health Facilities Citation Penalties Account and the Federal Health Facilities Citation Penalties Account to be appropriated to fund local long-term care ombudsman programs.

Background: The Long-Term Care (LTC) Ombudsman Program supports some of California's most at-risk and vulnerable elderly who live in residential care facilities. The local LCT Ombudsman Programs are supported by a combination of volunteer and paid staff. The Program investigates complaints made by, and on behalf of, nursing home residents.

If enacted, AB 935 (as amended on April 16, 2009) would require at least half of the funds in the California Department of Public Health State Health Facilities Citation Penalties Account, and the Federal Health Facilities Citation Penalties Account to be used to support LTC ombudsman programs administered by the California Department of Aging. In addition, AB 935 requires any remaining funds to be used to protect the health and safety of nursing home residents.

Together with AB 392 (2009-Feuer), AB 935 was intended to reduce the impact of the elimination of state funding for the program in 2008 and provide more stable funding for the LTC Ombudsman Program. As a result of recent budget reductions, LTC ombudsman services have been significantly reduced.



COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY Contact: Joseph Chelli, Director; E-Mail: <u>jchelli@sjgov.org</u>; Ph. (209) 468-1651

53. <u>Title</u>: The Elder Economic Security Standard Index

Issue: A significant number of elders are facing rising costs of living, and the existing Federal Poverty Level criteria no longer provides an accurate measure of income necessary for an elder to live independently.

<u>Legislative Platform</u>: Support legislation or regulatory changes which would require the State Department of Aging to include the Elder Index in its State Plan, and ensure that Area Agencies on Aging include the Elder Index in their plans.

Background: The Elder Economic Security Standard Index (Elder Index), developed at the University of Massachusetts, Boston, is a measure of income adequacy for older adults. The Elder Index benchmarks basic costs of living for elder households. It illustrates how costs of living vary geographically, and are based on the characteristics of elder households: household size, homeownership or renter, mode of transportation, and health status. The costs are for basic needs of elder households; they are based on market costs and do not assume any subsidies. The Elder Index, with its respective "tracks" for seniors living in different circumstances, shows how elders with low- and modest-incomes are challenged to cover their living costs today, as costs for basic needs are rising much faster than their incomes. In addition, it illustrates how seniors with moderate and somewhat higher incomes may be prepared for the present, yet face an uncertain future when living costs outpace their incomes, or when costs rise markedly as their life circumstances change. The University of California Los Angeles has calculated the Elder Index for each California county using 2007 data.

The Elder Index provides a framework to help guide public, private, and elders' decisions. Using the index in preparing area agency plans will enable state government to have a more complete and accurate picture of the numbers of elderly people who lack the basic income and the extent of their income shortfalls.



COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY Contact: Joseph Chelli, Director; E-Mail: <u>jchelli@sjgov.org</u>; Ph. (209) 468-1651

54. <u>Title</u>: Maximum Allowable Contract Rate for In-Home Supportive Services

Issue: The current Maximum Allowable Contract Rate for In-Home Supportive Services became effective in fiscal year 2002-03, and has not kept pace with the annual increase in operating costs and program growth.

<u>Legislative Platform</u>: Support legislation and/or budgetary proposals which would provide an immediate recalculation of the Maximum Allowable Contract Rate for In-Home Supportive Services commensurate with the cost of providing services and program growth. In addition, legislation should include a provision that would ensure that the Maximum Allowable Contract Rate is adjusted on an annual basis.

Background: In-Home Supportive Services (IHSS) is the largest community-based service program (449,330 cases statewide in July 2009) that assists Medi-Cal-eligible seniors and disabled adults to remain as independent as possible. The IHSS clients receive assistance with chore and/or personal care services. These services assist to successfully maintain a senior and/or disabled adult in the community and avoid more costly institutional care. Under current regulation, IHSS clients may be served either by an Independent Provider (IP) they select and hire, or through an agency under contract with the county to provide the services.

The State participates by providing 65% of the non-federal cost share of the County contract, up to the state established Maximum Allowable Contract Rate (MACR) set in 2002-03 (with no State participation in benefits). For all County contract rates above the MACR, the County is required to pay 100% of the non-federal share.

The IP rate is reviewed and increased annually, dependent on state revenue. The State participation is 65% of the non-federal share of the IP rate, including benefits up to a rate which is reviewed and increased annually, based on the economic growth of California. At the time the current MACR was established, the IP rate was \$6.75 (with no State participation in benefits). Currently, the IP rate is \$12.10 (wages and benefits), reflecting a 79.4% increase. The lack of any increase in the MACR results in the County paying a disproportionate share of the costs for administering a County contract.



COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY Contact: Joseph Chelli, Director; E-Mail: <u>jchelli@sjgov.org</u>; Ph. (209) 468-1651

55. <u>Title</u>: Alignment of California's Work Opportunity and Responsibility to Kids Program with Federal Temporary Assistance to Needy Families

Issue: The dissimilarity between the California's Work Opportunity and Responsibility to Kids program and the Federal Temporary Assistance to Needy Families program significantly affect the ability of counties to meet the federal program requirements.

Legislative Platform:

- 1. Support legislation which would serve to align California's Work Opportunity and Responsibility to Kids program and the Federal Temporary Assistance to Needy Families program; and
- 2. Support legislation which would provide for electronic technology improvements in Welfare Administration to ensure a more efficient and accessible system.

Background: In December 1996, Congress enacted the Personal Responsibility and Work Opportunity Reconciliation Act that revolutionized welfare in the United States. Temporary Assistance to Needy Families (TANF) is the federal statute governing Welfare-to-Work programs nationwide. California's program is called California's Work Opportunity and Responsibility to Kids (CalWORKs) program, and has been very successful in moving families from welfare to work. Congress extended the original law on numerous occasions since the Act expired on September 30, 2002. In February 2006, TANF was reauthorized and became law as part of the federal Deficit Reduction Act of 2005 (DRA).

The dissimilarities between the CalWORKs and TANF program policies significantly affect the DRA program. The dissimilarity significantly affects the ability for counties to meet the federal TANF requirements. Some of the most significant policy issues surrounding the differences between CalWORKs and TANF are: 1) Separate State programs are currently included in the federal Work Participation rate, 2) Some of the State's participation exemptions are not recognized by TANF, 3) TANF's full family sanctions are for clients who do not participate while CalWORKs only applies to the adults in the household, 4) Some of the State work activities are either uncountable or are limited in TANF, and 5) Special consideration should be given to counties based on fluctuations in the county employment rate.



COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY Contact: Joseph Chelli, Director; E-Mail: <u>jchelli@sjgov.org</u>; Ph. (209) 468-1651

56. <u>Title</u>: First 5 San Joaquin Children and Families

Issue: Local First 5 funds continue to be threatened, jeopardizing the sustainability of existing local First 5 programs and services.

Legislative Platform: Support legislation which would:

1. Oppose further funding reductions or the redirection of County operated First **5** funds;

2. Oppose legislation, regulations, and/or initiatives which would adversely impact local First 5 Commissions as it relates to funding, services and programs; and

3. Support legislative and administrative efforts which would allow First **5** Commissions to maintain local authority.

Background: First 5 California and 58 County Commissions enacted in 1998 work to improve the lives of children from the time they are in the womb until they enter kindergarten. First 5 San Joaquin provides all children prenatal to five years of age with a comprehensive, integrated system of early childhood development services in accordance with the provisions of the California Children and Families Act of 1998.

In 2003, First 5 San Joaquin began providing funding (approximately \$500,000 per year) to the Healthy Kids Program in the County. In 2008, the State Legislature called for the redirection of all First 5 revenues raised through Proposition 10 (1998) to the State General Fund for existing state funded health programs. This effort failed; however, the threat to redirect First 5 funds remains, particularly due to the state's growing budget deficit.

Finally, local First 5 funds have been used to leverage resources with federal Title 5, funding from the California Department of Education, and other state and local funding. Funding reductions to the First 5 programs are further compounded by a corresponding reduction and/or elimination of federal funds leveraged.



COUNTY OF SAN JOAQUIN ~ LIBRARY SERVICES Contact: Pamela Sloan, Director of Community Services; E-Mail: pamela.sloan@ci.stockton.ca.us

57. <u>Title</u>: Resource Sharing Programs for California Library Services Act

Issue: For years, the California Library Services Act/Transaction Based Reimbursement Program has not been funded at the rate approved by the State Department of Finance, and in 2009-10 this State mandated program was funded at a 38% reimbursement rate, 62% lower than the State approved reimbursement rate.

<u>Legislative Platform</u>: Support legislative efforts and/or budgetary proposals which would, at minimum, maintain current funding levels for the California Library Services Act/ Transaction Based Reimbursement Program, oppose further efforts to reduce funding, and seek an increase in funding for library resource sharing programs.

Background: For nearly 31 years, Californians have had the opportunity to use any library in the State to check out books and materials through the California Library Services Act (CLSA)/ Transaction Based Reimbursement (TBR) program. TBR allows library customers who reside in one city or county to use the services of another city's or county's library system. Similarly, a public library in one jurisdiction can borrow from another jurisdiction. There is no fee to the customer for these loan services.

The TBR program is a mandated statewide program approved by the State to reimburse local libraries for providing these loan services. Both over-the-counter (direct loan) and inter-library loans are reimbursable. For years, the TBR program has not been funded at the reimbursement rate approved by the State Department of Finance. In 2007-08, libraries were reimbursed 43.8% of their cost. In 2008-09, the TBR budget was reduced by an additional \$1.4 million (from \$11.6 million to \$10.2 million), to an estimated 38% reimbursement rate to participating libraries. The 2009-10 State Budget maintained the TBR program at the 2008-09 funding level. A state investment of an additional \$0.44 per item would provide libraries 100% of the cost of providing this valuable statewide service.

There is serious concern that further reductions in State funding for the CLSA/TBR program would diminish support for the 49-99 Cooperative Library System at the regional level. The 49-99 Cooperative Library System includes the Stockton-San Joaquin, Stanislaus, Calaveras, Amador, and Tuolumne County Libraries, and the Lodi Library. Finally, funding reductions to the CLSA program results in decreases in other local library programs statewide, including advanced library reference services, a demise of the delivery system between libraries, as well as other cooperative library system services throughout the state.



COUNTY OF SAN JOAQUIN ~ LIBRARY SERVICES Contact: Pamela Sloan, Director of Community Services; E-Mail: Pamela Sloan@ci.stockton.ca.us

58. <u>Title</u>: Bond Funding for Public Libraries

Issue: There is a considerable need to build new and renovate existing public libraries in San Joaquin County.

Legislative Platform:

1. Seek and support bond funding for the construction of new and the renovation of existing public libraries in San Joaquin County.

2. Support legislative efforts, including ACA 9 (2009-Huffman) which would reduce the voter approval requirement for local taxes and bonds from a $2/3^{rds}$ vote to 55% for purposes of authorizing and issuing local infrastructure bonds, including libraries.

Background: According to a 2007 "California Public Library Facility Needs Assessment," produced by the California State Library, there is an \$8 billion need for library construction over the next 10 years. Of that amount, \$5.8 billion is needed within the next five years for library construction and renovation projects. Most recently, the Library Bond Act of 2000 provided \$350 million for library construction projects statewide. Those funds were quickly expended, and three-fourths of the project applications were denied due to the limited amount of bond funding available under the Act.

The need for additional construction and remodeling for Stockton-San Joaquin County Public Library facilities is estimated at \$124.4 million. Preliminary construction and remodeling projections through 2030 established through an updated Facilities Master Plan are estimated in excess of \$500 million, based on population growth within the County.

Clearly, the State has not been able to keep pace with the rising needs at the local level for library construction. Library bonds often receive strong local support, but may fall short in achieving the current 2/3rds vote threshold. ACA 9 (2009-Huffman), as amended on June 26, 2009 would reduce the voter approval requirement for local taxes and bonds to 55%. Furthermore, lowering the voter threshold for local bonds to 55% would provide libraries the same funding opportunity afforded to schools. Currently, counties do not have the financial resources to operate state programs and also meet local needs. In order to meet each community's unique needs, counties must be given the authority to offer the voters the option of approving revenues at a level sufficient to provide the degree of local services the community desires. Furthermore, the current demands upon libraries is ever increasing, particularly in regard to the areas of adult literacy services, helping to bridge the digital divide, and serving the County's growing unemployed population. Thus, it is important to meet this need with adequate library facilities for San Joaquin County residents.



COUNTY OF SAN JOAQUIN ~ LIBRARY SERVICES Contact: Pamela Sloan, Director of Community Services; E-Mail: pamela.sloan@ci.stockton.ca.us

59. <u>Title</u>: State Funding for Public Library Services

Issue: The Public Library Fund Act authorizes the Legislature to appropriate an amount up to 10% of a target "foundation" level of services. However, the Public Library Fund for State appropriations has never reached the targeted level; therefore, libraries' ability to provide a collection of materials that reflects the ongoing and current needs of the community has been negatively impacted.

<u>Legislative Platform</u>: Support legislative efforts and/or budgetary proposals which would sustain the current level of funding, and oppose further budget reductions to the Public Library Fund.

Background: The Public Library Fund Act, established in 1983, provides direct State aid to California public libraries for basic public library services, including new materials. The funds are appropriated annually in the State budget. This Act authorizes the Legislature to appropriate an amount up to 10% of a target "foundation" level of library services based on a per capita cost each year. This foundation level is adjusted annually. The State appropriation has never reached the target level. The Public Library Fund was reduced by \$7.0 million in 2007-08, and experienced an additional reduction of \$1.4 million in 2008-09. The 2009-10 State Budget maintained the Stockton-San Joaquin County Public Library at the 2008-09 funding level of \$211,883. At the 2009-10 funding level, the program received less than \$13.0 million statewide in comparison to the \$106.8 million required by statute to fully fund the Public Library Fund program. The continued lack of funding has resulted in an overall reduction in the Library's ability to provide needed library services to the residents of San Joaquin County.



COUNTY OF SAN JOAQUIN ~ LIBRARY SERVICES Contact: Pamela Sloan, Director of Community Services; E-Mail: pamela.sloan@ci.stockton.ca.us

60. <u>Title</u>: California Library Literacy Services

Issue: The California Library Literacy Services, including Adult Literacy Services Program, continues to experience reductions in State funding. These services are unique and not available elsewhere in the community.

<u>Legislative Platform</u>: Support legislative efforts and/or budgetary proposals which would sustain the current level of California Library Literacy Services program funding, and oppose further budget reductions to the program.

Background: For the past 25 years, California's public libraries have provided literacy services to low-literate adults and their families, helping Californians of all ages reach their literacy goals. In addition to services for adults, California Library Literacy Services (CLLS) also extends support for literacy through other programs, including Families for Literacy, English Language and Literacy Intensive, and Mobile Library Literacy Services. The State Library provides oversight and technical assistance in support of CLLS. In 2007-08, the State allocated \$5 million to support CLLS, and the program reached 20,318 adult learners and 60,386 children through 105 public library jurisdictions. The 2009-10 State Budget further reduced CLLS funding by \$253,000. These adults were able to achieve life changing goals such as getting a driver's license, writing a resume, or reading a book to their child for the first time.

The Stockton-San Joaquin County Library's CLLS program includes Adult Literacy Services. In 2007-08, the Library's allocation for Adult Literacy Services was \$61,928. In 2008-09, the allocation was reduced by 10% to \$55,735. In 2009-10, the allocation was \$48,440, a reduction of 22.2% since 2007-08. These reductions are further compounded by the ever increasing demand for adult literacy services in San Joaquin County, a region of historical above average unemployment rates in California.



COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

61. <u>Title</u>: Groundwater Management and Conjunctive Use

Issue: The Eastern San Joaquin Groundwater Basin has been designated by the State as being in "critical overdraft". Groundwater levels continue to decline and saline groundwater intrusion threatens portions of the Basin.

Legislative Platform:

1. Seek, advocate, and support legislation and/or budgetary proposals which would provide increased funding for local conjunctive use projects and groundwater monitoring within San Joaquin County, which would provide a regional benefit.

2. Support legislation or regulatory change which would designate the use of surface water to recharge a critically over-drafted groundwater basin as a beneficial use of water.

3. Seek and support State bond funding (Proposition 1E or Proposition 84 - both 2006) for groundwater management and conjunctive use activities and projects, and the reestablishment and continuation of additional grant funding programs such as AB 303 Local Groundwater Assistance Act of 2001, Integrated Regional Water Management, Groundwater Storage, Urban Steams Restoration, Water Use Efficiency, Water Recycling, Water Desalinization, and Water Use Efficiency.

4. Seek and support legislative or regulatory efforts to streamline State regulatory permitting processes for aquifer storage, recovery, and other groundwater recharge projects.

Background: The California Water Plan Update of 2005 estimates the rate of statewide groundwater overdraft at approximately two million acre-feet per year. Increased scarcity of surface water resources and continued reliance on groundwater to sustain population growth and agricultural production will push groundwater basins to the limit. Areas in groundwater overdraft have generally experienced declines in groundwater levels, degradation of groundwater quality, saline intrusion, deterioration of hydraulically-connected surface water features, and inelastic land subsidence. Groundwater overdraft continues to affect urban, rural, and especially disadvantaged communities both financially and environmentally.

The California Water Plan Update estimates that through increased conjunctive water management, up to two million acre-feet of water per year could be added to State supplies. Conjunctive water management (or conjunctive use) is defined as the coordinated optimization of surface and groundwater supplies. By using more surface water when available, and actively recharging groundwater basins with wet-year water increases, groundwater storage helps to eliminate groundwater overdraft. Conjunctive use helps to diversify communities' water



COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

Groundwater Management and Conjunctive Use (continued:

portfolios and to increase water supply reliability and flexibility. The legislature recognizes the need for increased groundwater management by local governments and requires agencies to adopt groundwater management plans to be eligible for State groundwater funding. The San Joaquin County Flood Control and Water Conservation District and Department of Water Resources have signed a Memorandum of Understanding to assist financially and technically with groundwater management, groundwater monitoring, and conjunctive use opportunities in Eastern San Joaquin County.

In 2004, the Northeastern San Joaquin County Groundwater Banking Authority (GBA) adopted the Eastern San Joaquin County Groundwater Basin Groundwater Management Plan. In 2007, the GBA developed and adopted the Eastern San Joaquin Integrated Regional Water Management Plan (IRWMP). The IRWMP defines the implementation strategy and course of action for the Eastern San Joaquin Integrated Conjunctive Use Program which includes a multitude of projects that mitigate conditions of groundwater overdraft and provide for a reliable and sustainable water supply for the Eastern San Joaquin Region into the future. The GBA consists of the City of Stockton, the City of Lodi, California Water Service Company, Stockton East Water District, North San Joaquin Water Conservation District, Central San Joaquin Water Conservation District, South Delta Water Agency, Central Delta Water Agency, San Joaquin Farm Bureau Federation, and the San Joaquin County Flood Control and Water Conservation District.

The San Joaquin County Department of Public Works' Water Resources Division and the GBA, in partnership with the Department of Water Resources and the United States Geological Survey, have completed a 5-year study which identifies the extent and migration of saline groundwater and the mechanics of groundwater recharge in eastern San Joaquin County. The information gained from this study has greatly enhanced the local understanding of the recharge mechanisms, transport dynamics, and geo-chemical processes of the underlying basin, which has improved the technical validity of project actions proposed in the Eastern San Joaquin Integrated Conjunctive Use Program. San Joaquin County views this study as a highly successful State, local, and federal partnership that applies cutting-edge groundwater science into contemporary integrated regional water resources planning.



COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

62. <u>Title</u>: Integrated Regional Water Management Plan Implementation – Eliminate Competitive Grant Funding Process

Issue: California's current surface water storage capabilities require improvement to better manage the impacts of floods and droughts throughout the State.

<u>Legislative Platform</u>: Support legislation and/or administrative efforts which would modify the existing competitive Integrated Regional Water Management Planning (IRWMP) grant funding application process into a non-competitive direct funding assignment to IRWMP regions so that local and regional agencies can better fund programs and projects.

Background: Finding enough water to sustain California's growing population, industrial and agricultural production, and unique natural environment continues to be a top priority for the State. Surface water resources are stretched to the limit. Problems are further exacerbated by reductions in groundwater availability due to overdraft, groundwater contamination, and the potential onset of global warming that could result in more severe floods and droughts. Increasing California's surface water storage capability not only provides more water for agriculture, the environment, urban and recreational use, but also increases the flexibility for facility operators to better manage the impacts of floods and droughts.

The concept of IRWMP is to develop regional collaborative solutions to water supply, water quality, flood control, and habitat challenges. Local agencies are encouraged to work closely with other stakeholders to pursue projects and funding that not only meet the needs of a single agency, but serve the region as well. Proposition 50, the \$3.4 billion water bond passed in 2002, allocated a total of \$500 million through the joint Department of Water Resources and State Water Resources Control Board's IRWMP grant application process. Many agencies in the State are currently developing integrated plans. Proposition 84 has provided an additional \$1.0 billion for IRWMP grants. However, little of the Proposition 84 funds have been allocated.

Grant funds should be assigned to qualified IRWMP regions, divided by the hydrologic regions in the State. The IRWMP regional agencies could then allocate funding based on the adopted project and program schedules developed as part of the IRWMP planning process. This would streamline the grant funding process, allowing for more of the funding to go directly to local and regional water resource infrastructure projects to help sustain the State's water supply demands.



TRANSPORTATION ~ Legislative Projects

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

63. <u>Title</u>: Top Ten Transportation Projects

All the San Joaquin County Top Ten Projects are of regional significance focusing on roadway safety and improvements that serve to advance economic vitality in the California Central Valley Region.

#	PROJECT	FUNDING REQUEST	DESCRIPTION
1	State Route 4 Corridor Improvements	\$5 M (Planning/ Environ-	Planning and engineering studies, right-of-way acquisition, and project design to widen SR 4 from 2 to 4 lanes. Project limits include 1 major bridge at Middle River. Project length is
2	Lower Sacramento Road Corridor Improvements	mental) \$1M	approximately 16 miles. Widen existing 2 lane road to 4 lanes. Approximately 3 miles of this corridor remains to be widened. Several minor structures are located within the remaining areas to be widened.
3	Interstate 5/French Camp (Arch-Sperry) Interchange	\$10 M	A City of Stockton project supported by San Joaquin County. Reconfigure the existing interchange to handle future General Plan traffic volumes and facilitate a connection to the pending Sperry Road extension. Work includes relocation of existing ramps and frontage roads.
4	State Route 12/88 Improvements (Lockeford Bypass)	\$5M (Construct- ion.)	Provide 4 lanes (2 lanes east-bound and 2 lanes west-bound) from SR 12/88 west to SR 12/88 east. Ultimate alternatives selected may include multiple minor structures. Project length is approximately 9 miles.
5	Eleventh Street Corridor Improvements	\$1M	Construct median and intersection improvements through this 4-mile corridor. The cost estimate allows for the construction of a roundabout at each of the intersections in the corridor.
6	Lower Sacramento Road Railroad Crossing Improvements	\$1M	Improve safety and traffic operations at the Lower Sacramento Road railroad crossing near Woodson.
7	State Route 132/Bird Road Interchange	\$1M	Project to improve the existing at-grade intersection operations by constructing a modern interchange.
8	Byron Highway (State Route 239)	\$1M	Widening the corridor to 4 lanes and 2 potential overpass projects at Mountain House Parkway and Central Parkway.
9	Howard Road/Tracy Boulevard Widening Improvements	\$1 M	Widen Howard Road and Tracy Boulevard from 2 to 4 lanes, and construct miscellaneous geometric and intersection improvements. Project limits include 4 bridges. Project length is approximately 17 miles.
10	Turner Road Improvements	\$1M	Widen the shoulder along Turner Road and add turn lanes at intersections. Project limits include 1 minor structure and 1 at- grade railroad crossing. Project length is approximately 4.5 miles.



TRANSPORTATION ~ Legislative Issue

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

64. <u>Title</u>: Protect Local Transportation Funding

<u>Issue</u>: The 2009-10 State budget deferred local streets and road maintenance funds (Highway User Tax Account and Proposition 42 payments) to counties and cities without a date certain for payback.

Legislative Platform:

Seek, advocate, and support legislation, regulations, and budget proposals which would:

- 1. Ensure a stable source of transportation funding over the span of several years.
- 2. Protect transportation funds from being diverted by the State for nontransportation programs and services.

Background: Current funding available to counties and cities for the maintenance and operation of the local street and road system comes from the Highway User Tax Account (HUTA), and a portion of the State Sales Tax on gasoline (Proposition 42). The current State Fuel Excise Tax (Gas Tax/HUTA) is 18 cents per gallon, and has not been increased since 1994. Sixty-four percent (or 11.52 cents) of HUTA goes cto the State Highway Account, and the remaining thirty-six percent (6.48 cents) is split between counties and cities based on population and miles of maintained road. Local agencies receive only 36 percent of this gas tax, despite that they have jurisdiction and maintenance responsibility for 82 percent of the State's roadway network. In March 2002, California voters passed Proposition 42, which permanently dedicated gasoline sales tax revenues to various transportation programs. Counties and cities share 40 percent of Proposition 42 funds for the maintenance of the local road system. However, Proposition 42 allows the transfer of funds to be suspended under certain conditions. Proposition 1A, passed in 2006, limits the conditions under which suspension of Proposition 42 funds can occur.

The San Joaquin County Department of Public Works utilizes HUTA and Proposition 42 revenues to fund the County's road maintenance, operations, auxiliary, and engineering programs. Any reallocation or deferral of these funds will decimate a revenue stream also utilized for matching federal and state grant funds, further increasing the County's maintenance backlog (see Issue #65 – Local Road and Bridge Maintenance Backlog).



TRANSPORTATION ~ Legislative Projects

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

65. <u>Title</u>: Local Road and Bridge Maintenance Backlog

<u>Legislative Project Appropriations Requests</u>: Seek, advocate, and support budgetary appropriations for local road and bridge maintenance projects.

Background: The County's growing population and growth as a hub for warehousing and goods movement has added more cars and heavy trucks on the streets, the movement placing increased stress on the bridges and roadways. Local roads represent over 80% of the State's maintained miles and are functioning as the secondary highway system in California. The lack of, or deferral of, road maintenance funding has made it difficult to deliver projects crucial to the local roadway system.

Currently in San Joaquin County, the backlog of deferred road maintenance includes an estimated:

\$235 million in pavement maintenance;\$175 million in bridge maintenance; and\$225 million in safety improvements

This shortfall reflects funds needed in order to maintain the current local roads and bridges in good condition. The shortfall does not include system expansions such as those required to address existing congestion or population growth. Continued delay of this work will result in further declining road conditions and increasing the County's roadway maintenance backlog.

(Project Literature Available)



COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

66. <u>Title</u>: Exemption from Proposition 218 Requirements

Issue: Storm water, flood control, and street lighting are not exempt from the requirements of Proposition 218.

<u>Legislative Platform</u>: Seek and support regulatory reform, a State proposition, or bond, which would exempt flood control, storm water, and street lighting fees from Proposition 218 (1996) requirements.

Background: Proposition 218, the "Right to Vote on Taxes Act", approved in November 1996, requires that new and increased local taxes and fees be approved by voters/property owners.

While Proposition 218 has specific exemptions for water, sanitary sewer, and refuse collection rates, it does not exempt rates for storm water, flood control, and street lighting. The State Attorney General issued an opinion March 5, 1998 (Opinion 97-1104), which states that storm drainage fees are not exempt and these rates are subject to voter approval. Consequently, for over a decade, counties have not had the ability to increase fees to offset the annual increase of street lighting, storm water, and flood control costs.

In many counties, the street lighting and storm drainage fees are primarily for the maintenance and operation of the facilities, and are similar to the fee for the maintenance and operation of water and sanitary sewer systems. In some counties, requests for increases in assessments through the balloting process have failed, resulting in a reduction in the level of street lighting and storm water services for specified areas.

After passage of Proposition 218, the federal Clean Water Act placed more responsibility on local governments to monitor and treat storm water and urban runoff. Run offs often wash pollution and debris into storm drains, and eventually into creeks, rivers, bays, and oceans, damaging aquatic habitat, and have attributed to beach closures and advisories. Storm water pollution can contaminate drinking water and endanger public health.

Regulatory reform exempting storm water, flood control, and street lighting from Proposition 218 or a Constitutional Amendment authorizing local government to create an additional resource is needed to fund storm water and urban runoff management programs and street lighting services.



COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

67. <u>Title</u>: Illegal Dumping

Issue: Illegal dumping is a significant problem in San Joaquin County. Illegal dumping has resulted in increased costs to the County for cleaning up illegally disposed waste.

<u>Legislative Platform</u>: Seek, advocate, and support legislation which would address illegal disposal of waste including the establishment of a statewide Illegal Dumping Prevention Program in coordination with existing cleanup programs administered by the California Integrated Waste Management Board. The proposed illegal dumping prevention program should include:

- 1. Funding for illegal dumping enforcement and related judicial processes;
- 2. Public outreach, education, and training; and
- 3. Support statewide standardization of acceptable evidence and prosecution.

Background: According to the California Integrated Waste Management Board website, illegal dumping of waste is one of the most pervasive problems for cities and counties now and for at least the past 15 years. Illegal dumping on county roadways in San Joaquin County is a significant problem. In addition to being unsightly, it increases health and safety hazards and requires significant resources in response to illegal dumping. The economic impacts of illegal dumping to local governments are significant. San Joaquin County alone expended in excess of \$1 million on illegal dumping in the past year. Unlike most county and city programs, illegal dumping usually does not fall into a specific program area. As a result, it does not receive adequate funding.

In November 2004, San Joaquin County adopted an ordinance to increase the fines and punishments for illegal dumping of waste in the County up to the maximum allowable by State law. The local ordinance included high-profile signage and initial efforts to establish a random camera enforcement program at high-frequency dumping locations. In November 2007, the San Joaquin County Board of Supervisors established a permanent Illegal Dumping Prevention/Enforcement Task Force to research and to recommend a plan for focusing on illegal dumping prevention, apprehension, and prosecution of illegal dumpers. At this time, there is no funding mechanism for illegal dumping enforcement.



COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS Contact: Thomas R. Flinn, Director; E-Mail: <u>tflinn@sjgov.org</u>; Ph. (209) 468-3100

68. <u>Title</u>: Extended Producer Responsibility for Product Disposal

Issue: Currently, local governments are required to manage various universal and other waste products at time of disposal, resulting in significant annual costs to counties.

Legislative Platform:

1. Seek, advocate, and support legislative and regulatory efforts to address end-oflife costs and management of problematic discarded products and materials.

2. Oppose legislation or regulations which would be "product-specific", and/or does not outline a true Extended Producer Responsibility program for the product.

Background: California local governments are required to collect and manage banned and often expensive discarded products and materials. To date, legislative and voluntary initiatives in California that involve producers in the design and end-of-life management of products have focused on one product or product category at a time. The result has been a patchwork of product-specific (e.g. lighting, computers, tires) or substance-specific (e.g. mercury, lead, brominated flame retardants) legislation for the disposal of problematic products, typically with no financial support for end-of-life management.

California's list of hazardous products banned from land disposal continues to grow, and other problematic products, such as tires, mixed-material, and bulky packaging are especially difficult to recycle and ever more prevalent. The costs to manage discarded products will increase substantially in the short-term unless policy changes are made.

San Joaquin County estimates that it would cost \$4 million to handle 50% of one year's generation of common problematic products.

The California Integrated Waste Management Board has adopted a framework approach to implement Extended Producer Responsibility in California in order to guide proposals to seek statutory changes. The framework establishes a government role in setting targets, developing appropriate regulations, establishing reporting and tracking requirements, and selecting products for new product stewardship programs.

San Joaquin County strongly supports Extended Producer Responsibility framework legislation that would establish transparent and fair principles and procedures to manage universal and other waste products for which improved design and management infrastructure are in the public interest, and that would shift waste management costs from local government to the producer of the product, which would give producers an incentive to redesign products to reduce their health and environmental impacts.



PURCHASING ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PURCHASING AND SUPPORT SERVICES Contact: David Louis, Director; E-Mail: <u>dlouis@sigov.org</u>; Ph. (209) 468-2852

69. <u>Title</u>: Construction Contracts

Issue: Minor repair and maintenance projects are currently required to go through a time consuming process due to antiquated maximum limits of \$6,500 for labor and \$3,500 for material.

<u>Legislative Platform</u>: Pursue legislation to increase the Public Contract code limits from \$6,500 to \$20,000 for labor and from \$3,500 to \$11,000 for materials.

Background: In 1982, Public Contract Code Section 20122 established a maximum limit of \$6,500, exclusive of materials, before a contract is required for the repair or maintenance of public buildings. Section 20133 was added at the same time allowing for the purchase of materials up to \$3,500 without bid for similar work. Section 20133 was repealed in 1990. Identical language is now found in Section 20131(b).

Also in 1982, Public Contract Code Section 20131 was added allowing purchasing agents to purchase materials, furnishings, and supplies used in the construction or repair of public works estimated as costing not more than \$6,500 without the formality of obtaining bids, letting contracts, and preparing specifications.

As a result of these antiquated limits, many minor maintenance projects are required to go through a time consuming bid process.

Increasing the limit in Section 20122 to \$20,000 and increasing the limits in Section 20131(a) to \$20,000, and 20131(b) to \$11,700, and including an inflationary index is recommended as a much more efficient means of completing minor maintenance through the procurement process. The increased limits would give counties over 500,000 in population, the needed flexibility to efficiently manage minor repairs and maintenance of public buildings. Counties would be able to reduce the time from bidding to repair, from 30 days to as few as 5 days.



APPENDIX ~ A

SAN JOAQUIN COUNTY'S "BETTER WAY" - Solutions for the Sacramento-San Joaquin Delta

San Joaquin County proposes that there is a "Better Way" to support a vision for a vibrant and sustainable Sacramento-San Joaquin Delta in the near and distant future. San Joaquin County's vision for a Better Way begins with the recognition that the Delta is a vibrant ecosystem which supports diverse fish and wildlife species and passionate recreational enthusiasts. We must also recognize the proud tradition of the Delta in agriculture and maritime commerce. Miles of utility lines, roads and other infrastructure traverse through the Delta and support urban communities far and near. The unique splendor of the estuary, its history, and the lifelines that traverse through it makes the Delta a special place for all Californians especially to those who live, work and play here.

Spreading the Message...

California Partnership for the San Joaquin Valley San Joaquin ~ Stanislaus ~ Merced ~ Madera ~ Fresno ~ Kings ~ Tulare ~ Kern

Since 2005, California Partnership for the San Joaquin Valley has focused on improving the region's economic vitality and quality of life for the region's 4 million residents. The Partnership's efforts are broad and encompass several work groups which specialize in areas such as transportation, education, energy, and water. The Partnership's Water Work Group had recently presented a resolution to the Partnership Board of Directors. Despite the polar nature of the Peripheral Canal issue, the eight San Joaquin Valley Counties found that they have much more in common with regards to a sustainable water supply of adequate quality and a commitment to sustained flood protection efforts. On October 22, 2009, the historic resolution was passed unanimously by the Partnership Board of Directors.

"Let's build on the 90% we can agree upon and stop fighting over the 10% we can't."

~ Fritz Grupe, Deputy Chairman California Partnership for the San Joaquin Valley





APPENDIX ~ A (continued)

SAN JOAQUIN COUNTY'S "BETTER WAY" - Solutions for the Sacramento-San Joaquin Delta

In June 2008, the Counties of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo recognized the need for a coalition to advocate for the common interests of the 5-Delta Counties with the adoption of a multi-county resolution. The Delta Counties developed a joint resolution which outlines 11 basic principles of mutual interest concerning water quantity, water quality, Delta ecosystem, water rights, local economies, governance, levee maintenance, through-Delta conveyance, improved Statewide water demand management, and maximum recycling and reuse. The Delta Counties Coalition to will continue to meet and advocate in accordance with the adopted principles.

The Sacramento-San Joaquin Delta is the largest estuary in the western United States. The Delta is also home to two major shipping ports, four major highways, various railroads, water pipelines, power transmission and natural gas storage facilities; and more than 750 plant and animal species, many of which are endangered. Water diverted from the Delta is used to support 28 million Californians and 7 million acres of farmland. **Two thirds of the Delta lies in San Joaquin County** while the remainder of the Delta overlies the Counties of Contra Costa, Sacramento, Solano and Yolo.



Thinking out of the Box...

A Water Plan For The 21st Century: Regional Self-Sufficiency – It is no coincidence that increased exports out of the Delta has caused the drastic decline in the health of the Estuary. As communities and farms throughout California struggle to find new and reliable water supplies, sustainability is a concept that must be made a priority to ensure that future generations may continue to enjoy the riches of California. Self-sustaining water regions throughout California – the concept is not new. What if we reactivate historical floodplains to lessen flood peaks, enhance wildlife habitat, and replenishes depleted groundwater basins? What if we built new reservoirs to increase flood control and water storage potentials? What if we recycled or desalted as much water as we could?

"You can't operate the Delta like a sponge, soaking in the spills from our reservoirs and then wringing it dry to quench our thirsts."

~ Tom Zuckerman, Delta Advocate



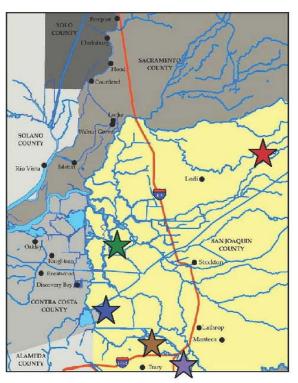


APPENDIX ~ A (continued)

SAN JOAQUIN COUNTY'S "BETTER WAY" - Solutions for the Sacramento-San Joaquin Delta

MORE WATER Project - Flood water is a liability and is only available in certain months during wet years. How do we turn this liability into a resource? The MORE WATER Project proposes to divert flood water off the Mokelumne River in Wet years during the months of December to June. The water will be diverted into the proposed Duck Creek Reservoir, an off-stream reservoir, for use during the irrigation season. The use of surface water in-lieu of groundwater will help to combat conditions of overdraft in Eastern San Joaquin County. Conjunctive use is the key to turning straw into gold.

South Delta Bypass - A south delta flood bypass and habitat restoration area in the vicinity of Paradise Cut could reduce the flood risk in the lower San Joaquin River for the residential areas of Lathrop, Manteca, and Stockton.



Delta Management is about Water Quality not Quantity...

Thinking about alternative ways to manage the Delta, we must recognize that fish, including salmon and Delta Smelt, prefer a certain water quality which can fluctuate tremendously throughout the Delta and is also dependant on seasonal runoff and export pump operations. Fish have not done well in the Delta because it has historically been primarily managed as a water supply switch yard. What if we could manipulate the flow in Delta channels to mimic preferable water quality conditions in certain parts of the Delta away from the export pumps? This scenario could potentially provide an opportunity for salmonid and Delta Smelt populations to recover with less severe Delta export restrictions.



APPENDIX ~ A (continued)

SAN JOAQUIN COUNTY'S "BETTER WAY" - Solutions for the Sacramento-San Joaquin Delta

Delta Corridors Project – The concept of the Delta Corridors Project is to avoid mixing salinity with fresh water near the export pumps. The proposal is to reconnect Old River with the San Joaquin River t o provide more nutrients often needed by fish and to redirect the Delta's fresh water pool through Middle River to the export pumps. A total of 12 flood gates, barriers and/or pumping facilities would need to be constructed throughout the Delta.

Two-Gate Project – Delta Smelt like turbid water typical of high runoff conditions in the winter and spring months. Physical flow barriers at Old River and Connection Slough could keep the more turbid Sacramento River flows of the spring winter months and therefore the Delta Smelt in the western sand central portions of the Delta thus enabling less severe export restrictions. Project proponents are proposing a 5-year study where temporary operable gates would be installed at a total cost of \$80 million. Boater interests and safety remain a major concern for local entities.

Act Now...

Levee Subventions – "An ounce of prevention is worth a pound in cure." Levee maintenance entities have for years accomplished the herculean task of maintaining the levee systems in the Delta with very limited funding sources. A renewed investment in levee improvements, emergency management, and a more coordinated approach to flood protection would allow flood managers to actually reduce the risks of levee breaks instead of fretting over the consequences.

Delta Recirculation – The Lower San Joaquin River continues to be a major source of imported salinity to the South Delta. The concept of Delta recirculation is to freshen Lower San Joaquin River flows with water from the Delta-Mendota Canal. Recirculation improves water quality entering South Delta and the export pumps. Improved salinity concentrations in the Lower San Joaquin River also could potentially reduce the Bureau of Reclamation's reliance on New Melones Reservoir, a major source of surface water for Eastern San Joaquin County, to meet Delta water quality objectives.





APPENDIX ~ **B**

The California Partnership for San Joaquin Valley – Resolution in Support of the Partnership-Sponsored Integrated Regional Water Management Plan Framework

1. **WHEREAS** the California Partnership for the San Joaquin Valley ("Partnership") was established by Executive Order S-22-06 to focus attention on one of the most vital, yet challenged regions of the State and implement changes that would improve the economic wellbeing of the Valley and the quality of life of its residents. The Partnership has crafted a Strategic Action Proposal that will achieve those goals and has been charged by Governor Schwarzenegger to implement that Strategic Action Proposal; and

2. **WHEREAS** the growing population and expanding economy of the San Joaquin Valley require an adequate water supply of sufficient quality that is reliable for all sectors, including the environment. Current water supplies may be vulnerable to sudden disruption and reoccurring droughts. Groundwater supplies have been drawn down faster than they have been replenished; and current infrastructure is insufficient to address water storage and conveyance needs anticipated under current and future demand patterns and protecting the fragile Sacramento-San Joaquin Delta ecosystem. Each of these challenges must be addressed; and

3. WHEREAS the Strategic Action Proposal's recommendations for Water Quality, Supply and Reliability focus on; a) developing an Integrated Regional Water Management Plan for the San Joaquin Valley that incorporates inter-regional cooperation between the San Joaquin and Tulare hydrologic regions; b) incorporating major levee enhancements in the Sacramento-San Joaquin Delta and San Joaquin Valley to safeguard and enhance regional water quality and water supply as well as provide for flood control; c) augmenting surface water and groundwater banking programs and recycled water projects; d) improving water quality and expanding inland saline water management; e) expanding environmental restoration and conservation strategies; and f) expanding agricultural and urban water use and energy efficiency programs; and

4. **WHEREAS** implementation of the Water Supply, Quality and Reliability recommendations require development of a convergence of interest among the eight counties of the San Joaquin Valley; and

5. **WHEREAS** this resolution takes no position on an isolated conveyance (peripheral canal) around and/or through the Sacramento-San Joaquin Delta; and

6. **WHEREAS** a major goal of the Partnership is to build bridges of understanding and shared vision between interests and regions of the San Joaquin Valley and California that meld together to provide for the economic well being and quality of life for all its citizens; and

7. **WHEREAS** the Partnership Water Policy Working Group has been engaged in a structured, collaborative dialogue since September 2007 to bring the interests and regions together to develop a shared vision for reliable water supply for all the San Joaquin Valley that protects water quality and reliability; and



APPENDIX ~ **B** (continued)

The California Partnership for San Joaquin Valley – Resolution in Support of the Partnership-Sponsored Integrated Regional Water Management Plan Framework

8. **WHEREAS** the California Water Institute and Water Plan Advisory Committee have been engaged in a 2-year collaborative process to prepare a San Joaquin Valley Integrated Regional Water Management Plan Framework that effectively addresses the key elements contained in the Partnership Strategic Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the California Partnership for the San Joaquin Valley unanimously supports the Integrated Regional Water Management Plan Framework and encourages local, State and Federal resource agencies, as well as Central Valley Cities, Counties, and the public to embrace and implement concepts that address current and future sources, uses and management of water, including;

a) Necessary infrastructure to capture, control, store and move water consistent with the law and water rights.

b) Employment of best management practices to ensure that conservation, recycling, reuse, groundwater reclamation and desalination represent the maximum yet realistic portion of water supplies.

- c) Ensuring the safety and quality of current and future water supplies.
- d) Protection and restoration of aquatic ecosystems.
- e) Preventing and minimizing damaging floods.
- f) Encouraging regional self sufficiency for water supplies.

g) Equitable responsibility among beneficiaries for funding the elements of a successful water management strategy, and

h) Developing priorities with a commitment to complete the long-range strategy within reasonable timeframes.



APPENDIX ~ C

R-07-534: Resolution Opposing the Development of a Peripheral Canal or Isolated Water Conveyance Facility by California Water Interest

WHEREAS, in 1982, the San Joaquin County Board of Supervisors approved a Resolution opposing the authorization, funding and construction of the proposed Peripheral Canal, or similar isolated water transfer facility to carry Sacramento River water around the Delta to the State and Federal pumps, as authorized by then Senate Bill 200; and,

WHEREAS, that position was re-asserted by additional actions taken by the Board in 1992, and again in 1998, under the CALFED Program; and,

WHEREAS, the State Water Project has not developed the five million acre-feet of water from North Coast watersheds, which was planned to supplement water supplies in the Delta for in-basin and export use; and,

WHEREAS, excessive exports of water from the Delta occur at times and amounts which cause injury to in-Delta water users and the environment, including endangered species; and,

WHEREAS, on September 28, 2006, Governor Arnold Schwarzenegger established the Delta Vision Committee, a Blue Ribbon Task Force and a Stakeholder Coordination Group to help develop a Delta vision and strategic plan. This visioning process has progressed to the point where the Coordination Group recently submitted a Preliminary Recommendations Report that includes two primary options, the Flexible Delta and the Resilient Adaptive Delta. While this effort has outlined possible approaches that may allow the Delta to meet future beneficial needs, it also revives and calls for the studies, modeling, investigations, and potential development of an isolated water conveyance facility such as the Peripheral Canal, singularly or as a part of a dual conveyance system; and,

WHEREAS, the construction and operation of a Peripheral Canal, or a similar facility would require the taking of prime agricultural land and possibly urban areas for the construction of the canal itself, and the loss of additional acreage from seepage from that canal will cause severance damage to additional prime agricultural land; will sever and impair utilities and local road systems; will create significant new flood dangers to agricultural lands and urban areas within the City of Stockton and San Joaquin County; will adversely affect the water rights of water users within San Joaquin County; will circumvent the Delta common pool; and will seriously impair Delta water quality and an adequate supply for all beneficial uses; and the protection of fish, wildlife, and other recreational resources within this County; and,

WHEREAS, there are other more viable alternatives to a Peripheral Canal, which would continue the transfer of water from the Sacramento River through the existing channels of the Sacramento-San Joaquin Delta to Clifton Court Forebay that can be constructed much more



APPENDIX ~ C (continued)

R-07-534: Resolution Opposing the Development of a Peripheral Canal or Isolated Water Conveyance Facility by California Water Interest

rapidly and at substantially less cost, and will not create all the damage and problems that would be created by the construction of an isolated water conveyance facility; and,

WHEREAS, the State of California itself, through the California Water Plan Update 2005, has stressed the need for more integrated regionally focused water resource solutions, including greater conjunctive use, desalinization, conservation, recycling, and improved flood plain management to establish greater regional self sufficiency in areas of the State that rely on imported water supplies; and,

NOW THEREFORE, BE IT RESOLVED that the San Joaquin County Board of Supervisors opposes the development of a Peripheral Canal, or any other isolated water conveyance facility in the Delta, and hereby urges the following:

- 1. That State water interests pursue regional solutions and limit exports from the Delta to water which is truly surplus to all present and future beneficial needs including environmental needs of the Delta and other areas of origin.
- 2. That the Delta be maintained as a common pool of good quality water for local and export water use.
- 3. That new water supplies in the State of California be developed through greater conservation, recycling, conjunctive use of ground and surface water, desalinization of brackish and ocean waters, local water storage, water reclamation and improved management of flood waters for recharge of overdrafted groundwater basins.
- 4. That local and regional water resource management activities be supported to develop and utilize local regulatory storage and other projects for improved conjunctive use, recharge capability and groundwater storage.
- 5. That Delta levees strengthened and gates and other facilities installed at strategic locations to improve Delta sustainability and facilitate recovery from flood, seismic and other emergencies.
- 6. That emergency response plan be developed, financed and implemented to provide improved State and local capability to respond to flood, seismic and other emergencies in the Delta.



APPENDIX ~ **D**

R-08-269: Resolution Opposing the Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta

WHEREAS, on September 28, 2006 under Executive Order S-17-06, Governor Arnold Schwarzenegger established the Delta Vision Committee, a Blue Ribbon Task Force and Stakeholder Coordination Group to help develop a durable vision for sustainable management of the Delta with the goal of managing the Delta over the long term to restore and maintain identified functions and values that are determined to be important to the environmental quality of the Delta and the economic and social well being of the people of the State; and,

WHEREAS, the planning process has progressed to the point where, on November 30, 2007, the Task Force released their Delta Vision Report (Report) entitled, "Our Vision for the California Delta." In the report it describes both short- and long-term recommendations that propose changes to a wide array of issues affecting the Delta including water supply, water quality, flood control, land use, habitat, and local governance; and,

WHEREAS, while this planning effort together with the several Report recommendations has outlined ideas that may allow the Delta to meet future beneficial needs in a sustainable way, it also supports and calls for the studies, modeling, investigations, and potential development of an isolated water conveyance facility, Peripheral Canal singularly or as a part of a dual conveyance system; and,

WHEREAS, the construction and operation of a Peripheral Canal or a similar facility would require the taking of prime agricultural land and possibly urban areas for the construction of the canal itself and the loss of additional acreage from seepage from that canal, will cause severance damage to additional prime agricultural land, will sever and impair utilities and local road systems, will create significant new flood dangers to agricultural lands and urban areas within the City of Stockton and San Joaquin County, will adversely affect the water rights of water users within San Joaquin County, will circumvent the Delta common pool, and will seriously impair Delta water quality and an adequate supply for all beneficial uses, and the protection of endangered fish populations, wildlife, and other recreational resources within the County; and,

WHEREAS, given the fact that the Report acknowledges on page 13 that there is not currently sufficient information to determine whether an isolated facility, dual conveyance system or through-Delta conveyance is the best solution for the Delta, the recommendation on page 14 of the Report that an "assessment of a dual conveyance system proceed as the preferred direction" cannot be supported; and,

WHEREAS, San Joaquin County is concerned that the Seventh Principle of the Report, which provides that a "revitalized Delta ecosystem may require reduced diversions, or changes in patterns of diversion upstream, within and exported from the Delta," does not specifically consider and respect California's water right priority system and statutory protections for watershed protection areas and areas of origin; and,



APPENDIX ~ **D** (continued)

R-08-269: Resolution Opposing the Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta

WHEREAS, San Joaquin County is concerned that the Report considers upstream diversions and diversions within the Delta for local use as a problem to be addressed when these uses must be included within the Delta ecosystem that the State must strive to protect the County from the adverse impacts of Delta exports; and,

WHEREAS, San Joaquin County is concerned that the Report focuses on the Public Trust Doctrine as principles of State law to be recognized, while ignoring other equally important principles of State law, including, but not limited to, the water right priority system, and the protection of areas of origin and watershed protection areas; and,

WHEREAS, other more practical alternatives exist as outlined under a locally-supported proposal for greater regional self-sufficiency than a Peripheral Canal that can be constructed more rapidly at substantially less cost and will not create the destruction and problems that would be created by an isolated water conveyance facility; and,

WHEREAS, the State of California Water Plan has also promoted the need for more integrated and regionally-focused water resource solutions including greater efficiency in the use of available surface supplies, expansion of conjunctive use programs, better management of groundwater resources, desalination, conservation and recycling to establish greater self-sufficiency in areas of the State that rely on imported water supplies; and,

WHEREAS, the Blue Ribbon Task Force has apparently pre-supposed the need for a Peripheral Canal, isolated or dual conveyance facility in the Delta despite the lack of consideration for other more viable alternatives and without sound science and technical analysis needed for an informed decision. County representatives have worked cooperatively with Delta interests and other local water agencies to inform the Delta Vision process of other more viable alternatives with only limited success; and,

WHEREAS, on April 16, 2008, the 19-member agency San Joaquin County Flood Control and Water Conservation District Advisory Water Commission voted unanimously to recommend approval of this resolution.

NOW THEREFORE, BE IT RESOLVED that the San Joaquin County Board of Supervisors does not support the Blue Ribbon Task Force's Delta Vision Report recommendations and the continued strategic planning process so long as this effort supports and promotes the development of a Peripheral Canal or any other isolated water conveyance facility in the Delta; and hereby urges the following:



APPENDIX ~ **D** (continued)

R-08-269: Resolution Opposing the Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta

1. That the Sacramento-San Joaquin River Delta, not California Delta as listed in the Report, be sustained as a unique and valued area, warranting continued investment, preservation, maintenance and special legal protections wherein the State must adopt explicitly in policy that the over-arching goal is the continuous and simultaneous improvement in health of the Delta, the Bay/Delta Estuary and other Northern California tributaries through improved water supply, reliability, water quality, and flood protection by sustaining priorities for the Delta, areas of origin and other watershed protection areas in California.

2. That the priority for meeting the needs in the Delta and Northern California tributaries from which water is exported should be acknowledged and forthrightly honored by both the Central Valley Project and State Water Project to comply with the San Joaquin River, Watershed and Delta Protection Statutes and the continuation of the Delta as a common pool to the maximum extent possible for all local beneficial uses and export as described in Water Code Section 12200 et seq.

3. That in order for the recommendations in the Report to be consistent with the technical findings acknowledged in the Report, the Task Force should also recommend assessment of Through-Delta conveyance.

4. That regardless of what Delta improvements are ultimately supported by the State, any Delta improvements must acknowledge that water users and interests within San Joaquin County are entitled to priority water use and protection from exports under existing California law, and insure that State actions are consistent with those rights and protections.

5. That the foundation for recommendations by the Report for any new water resource policy must: 1) recognize the priority for the water needs in the Delta and other areas of origin and watershed protection areas; 2) provide for the protection of California's water rights priority system; 3) provide for Delta salinity control; and 4) recognize the established fundamentals of California water law wherein the California State Constitution Article X, Section 2 prohibits waste, unreasonable use, and unreasonable method of use of water resources and it further provides that the "conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare."

6. That future water supplies for the State of California be developed through greater regional self-sufficiency as prescribed by "A Water Plan for the 21st Century: Regional Self-Sufficiency" to include increased conservation, recycling, efficiency, conjunctive use, desalination, surface and groundwater storage and reclamation.



APPENDIX ~ **D**(continued)

R-08-269: Resolution Opposing the Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta

7. That the State set a priority to support self-sufficiency through improved Integrated Regional Water Management planning and implementation activities throughout the State to develop and utilize local water storage for the capture and management of available flood waters or other projects for improved conjunctive use, recharge, banking and groundwater storage in California.

8. That Delta levees be strengthened and operable gates or other facilities installed at strategic locations to improve future Delta sustainability, urban flood protection, ecosystem integrity, agricultural health and facilitate recovery from seismic or other emergency to optimize through-Delta conveyance and work in cooperation with other agencies to develop additional supplies to address the needs for the entire State.

9. That the primary and secondary boundaries of the Delta remain as established under California law and that any new governance proposal in the Report must first recognize and support: 1) the vested private property rights of land owners and the constitutionally recognized land use controls of local governments that encompass the Delta; 2) provide for the protection of California's water rights priority system; and 3) provide for the protection of watershed protection and area of origin rights.

NOW THEREFORE, BE IT FURTHER RESOLVED that in conjunction with these declarations, the San Joaquin County Board of Supervisors further urges recognition of the following:

1. That the failure of the State Water Project to develop the promised 5 million acre-feet of supplemental water supply for California from North Coast rivers, as listed in Department of Water Resources Bulletin 76, limits the export of only surplus water from the Delta to periods and times when senior water rights, areas of origin and other beneficial uses are not adversely impacted.

2. That the San Joaquin River should also be recognized as a unique and valued watershed to be restored and protected as a vital element of a healthy Delta to provide for the reestablishment of sufficient in-stream flows for all beneficial uses and fishery habitat from the Friant Dam to the Delta.



APPENDIX ~ **D** (continued)

R-08-269: Resolution Opposing the Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta

3. That a long-term sustainable drainage solution in San Joaquin Valley that incorporates ocean outfall must be implemented so agricultural tail water and groundwater accretions high in salinity from lands in the Westside Service Area, Grasslands and wildlife refuges does not drain into the San Joaquin River. This solution should result in the preservation of our valued agriculture economy in the Valley and in greater regional water supply, improved water quality and sustainability through the conservation of hundreds of thousands of acre-feet of water released annually from the Stanislaus River or other Eastside tributaries to comply with the Vernalis and South Delta Salinity Standards.



APPENDIX ~ E

R-08-363: Multi-County Resolution on Water and Delta Related Issues

WHEREAS, the Sacramento-San Joaquin River Delta is at risk from many factors, and in addressing these threats the State may make large-scale changes to the Delta's legal boundaries and ecosystem, land use authority within the Delta, water conveyance through and around the Delta, water rights, management Statewide and many other aspects related to the Delta; and,

WHEREAS, the COUNTIES believe there is value in developing a coalition on issues concerning the Sacramento-San Joaquin River Delta and greater Bay/Delta Estuary; and,

WHEREAS, the COUNTIES wish to collectively articulate the issues and interests from the perspective of the Delta region itself, from the people who call the Delta home, and perhaps best understand the tremendous resource the Delta represents; and,

WHEREAS, the COUNTIES have identified a need for joint action and advocacy in areas of mutual interest on Delta-related issues; and,

WHEREAS, the COUNTIES wish to educate and maintain positive working relationships with regional, State and Federal governmental agencies and the public on Delta-related issues; and,

WHEREAS, through this Resolution, the COUNTIES have adopted a statement of basic principles describing their joint interests which may be refined over time.

NOW THEREFORE, the COUNTIES agree that:

The COUNTIES adopt this Resolution for the purpose of articulating mutual interests on Delta issues. Furthermore, the COUNTIES resolve to work together to better understand Delta-related issues from a regional perspective and to use their unified voice to advocate on behalf of local government in available forums at the Federal and State levels. Our mutual interests are as follows.

Management of the Sacramento-San Joaquin River Delta and greater Bay/Delta Estuary must:

1. Protect and improve water quality and water quantity in the Delta region and maintain appropriate Delta outflow for a healthy estuary;

2. Protect the existing water right priority system and legislative protections established for the Delta;



APPENDIX ~ E (continued)

R-08-363: Multi-County Resolution on Water and Delta Related Issues

3. Respect and safeguard Delta Counties' responsibilities related to land use, water resources, flood management, tax revenues, public health and safety, economic development, agricultural stability, recreation, and environmental protection in any new Delta governance structures;

4. Represent and include local government in any new governance structures for the Delta;

5. Protect the economic viability of agriculture and the ongoing vitality of communities in the Delta;

6. Support rehabilitation, improvement, and maintenance of levees throughout the Delta;

7. Support the Delta pool concept, in which the common resource provides quality freshwater supply to all Delta users, requiring mutual responsibility to maintain, restore, and protect the common resource;

8. Support immediate improvements to through-Delta conveyance;

9. Require that any water conveyance plan for the Delta be aligned with the principles established by this Resolution and supported by clearly demonstrated improvement of the entire State's water management;

10. Protect and restore the Delta ecosystem, including adequate water supply and quality to support it in perpetuity; and

11. Include the study of storage options and implementation of conservation, recycling, reuse, and regional self-sufficiency as part of a Statewide improved flood management and water supply system.



APPENDIX ~ **F**

R-08-624: Resolution in Opposition to the Proposed State Prison Healthcare Facility

WHEREAS, as a result of the class action lawsuits, Plata v. Schwarzenegger and Coleman v. Schwarzenegger, the U.S. District Court found that the quality of California's prison health and mental health care was so poor it violated the U.S. Constitution's Eighth Amendment prohibition against cruel and unusual punishment; and

WHEREAS, the federal court established a receivership to administer the California's prison medical delivery system; and

WHEREAS, the federal receiver plans to construct seven medical, mental and long-term care facilities, providing an additional 10,000 beds by 2013, including one in San Joaquin County which is proposed to be completed by 2011; and

WHEREAS, the State has identified its first proposed facility, which is the 144-acre site located at the Northern California Youth Correctional Center at 7650 South Newcastle Road, Stockton in San Joaquin County; and

WHEREAS, in addition to those impacts identified in Attachment A, the proposed facility will likely impact services provided by many County departments, including the District Attorney, Public Defender, and the Probation Department; and

WHEREAS, the financial impact to the County could exceed \$105 million in one-time costs as well as ongoing annual costs of \$25.4 million; and

WHEREAS, even if the State acknowledges and attempts to remediate its impacts by expanding the County's workforce development capabilities, it is not certain that there will be a large enough pool of skilled professionals to staff the existing and proposed County and State health and correctional facilities in the region; and

WHEREAS, the State anticipates releasing the draft Environmental Impact Report by October 21, 2008; and

NOW, THEREFORE, BE IT RESOLVED that this San Joaquin County Board of Supervisors does hereby opposes the proposed 1,800-bed State prison healthcare facility in San Joaquin County **unless** all County requested mitigation measures noted in Attachment A (as well as others, which may be identified in the normal course of the project review process) are adequately addressed in the final Environmental Impact Report.

WHEREAS, the California Land Conservation Act (Williamson Act) was enacted on July 14, 1965, to implement a variety of state farmland preservation policies directed at discouraging the unnecessary and premature conversion of farmland to other uses; and



APPENDIX ~ **G**

R-09-614: Moratorium on Applications for New Williamson Act Contracts)

WHEREAS, the Board of Supervisors recognizes the significant role of agriculture in San Joaquin County; and

WHEREAS, over 543,000 acres in the County are presently conserved by voluntary County and landowner participation in Williamson Act contracts; and

WHEREAS, legislation was adopted in 1971 requiring the State to provide subvention funding to replace the property tax revenues that participating jurisdictions lose as a consequence of extending reduced assessments to the owners of the contracted lands; and

WHEREAS, the County of San Joaquin, through its participation in the Williamson Act Program, loses approximately 2.6 million dollars in property tax revenues annually which losses were mitigated by a subvention of approximately 1.7 million dollars; and

WHEREAS, on July 28, 2009, Governor Schwarzenegger eliminated all but \$1,000 in state funding for the Williamson Act Program, including subvention payments, from the state budget; and

WHEREAS, continued participation in the Williamson Act Program will require the County to absorb the full 2.6 million dollar loss at a time when property tax revenues are already suffering; and

WHEREAS, under the present circumstances, the San Joaquin County Board of Supervisors believes it is necessary and appropriate to study and research the various options available to the County to address the lost subvention funds; and

WHEREAS, the San Joaquin County Board of Supervisors believes that a moratorium on applications for all new Williamson Act contracts is necessary and appropriate to facilitate the research of options; and

WHEREAS, the purpose of this Resolution is to formally direct County staff to implement this moratorium in the following manner;

NOW, THEREFORE, the Board of Supervisors hereby resolve as follows:

1. Effective January 1, 2010, the Community Development Department shall cease accepting applications for, and cease processing, new Williamson Act contracts.

2. This moratorium will not apply to any of the applications pending as of November 24, 2009 should those applications not be processed and presented to the Board of Supervisors before January 1, 2010.



APPENDIX ~ G (continued)

R-09-614: Moratorium on Applications for New Williamson Act Contracts

3. This moratorium will not apply to applications for Williamson Act contracts that are made to facilitate Lot Line adjustments.

4. The moratorium will continue until September 30, 2010, unless the Board acts to terminate the moratorium at an earlier date.

5. During the moratorium, staff will research options for addressing the loss of the subvention and present periodic reports to the Board on the progress of the research.

APPENDIX ~ H



R-07-451: Resolution Regarding the Northern California Women's Facility

WHEREAS, Assembly Bill 900 authorized the California Department of Corrections and Rehabilitation CDCR) to construct, establish and operate reentry facilities throughout the State that will house up to a total of 16,000 inmates within one year of release, and;

WHEREAS, such facilities shall be secure facilities of up to 500 beds each, and;

WHEREAS, legislation requires that reentry facilities provide programming to inmates and parole violators tailored to the specific problems faced by this population when reintegrating into society, and;

WHEREAS, in locations where reentry facilities are established, the CDCR shall develop a collaborative partnership with local government, local law enforcement, and community service providers, and;

WHEREAS, the Northern California Women's Facility NCWF) is currently unoccupied and could be used by the State as a reentry facility as described in AB 900; and,

WHEREAS, utilization of the NCWF as a reentry facility will promote collaborative partnership between the County and CDCR, and;

WHEREAS, the NCWF, when operating had a maximum capacity of 755, and AB 900 limits reentry facilities to 500 beds, there may be an opportunity to utilize excess capacity for local jail relief.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of San Joaquin County supports and requests the use of the Northern California Women's Facility as a reentry facility as identified in AB 900, with the following conditions:

- 1. The State will invoke priority funding for San Joaquin County under AB 900;
- 2. The State will recognize and work with County staff to mitigate traffic, water and sewer impacts due to use of the NCWF;
- 3. Such facility will only be used for inmates within one year of release from State custody;
- 4. Such facility will be used for inmates who are to be released within San Joaquin County;
- 5. Such release may also consider inmates to be released into the San Joaquin region, specifically Calaveras and Amador counties;
- 6. California Department of Corrections and Rehabilitation will provide expanded programming, including job preparation, health care, and mental health services to such inmates in the reentry facility;
- 7. To the extent possible, the California Department of Corrections and Rehabilitation will collaborate with the County to consider use of any additional capacity in the NCWF for local jail relief.