



County of Yolo

BOARD OF SUPERVISORS

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2010 STATE LEGISLATIVE AND BUDGET PRIORITIES *March 16, 2010*

The Board of Supervisors has the following state legislative and budget priorities that address specific Yolo County issues. This list does not include legislative and budget issues of importance to counties statewide.

LEGISLATIVE PRIORITIES

Pursue property tax inequity fix. Yolo County has the lowest property tax allocation in the state, yet is required to provide the same mandated services as other counties. Yolo County receives 8.7 cents of every property tax dollar, while counties on average receive 17 cents. When the City of West Sacramento incorporated, all of the sales tax and most of the property tax revenues were transferred to the city. When the state calculated the Education Revenue Augmentation Fund (ERAF), an error in the base year used to determine shift amounts included West Sacramento's property tax in Yolo County's shift amount (new cities were exempt from ERAF shifts). Yolo County seeks to fix this error, or otherwise make up the property tax revenue difference. Senator Wolk helped pass SB 85 (Cogdill) in early 2010 to partially address the issue. The bill allocates \$100,000 in 2011-12 to Yolo County and \$200,000 every year thereafter. Yolo County will continue to pursue a complete solution.

Pursue passage of SB 715 (Wolk) to reform the Williamson Act. Yolo County is the sponsor of SB 715, Senator Lois Wolk's bill to reform the Williamson Act. The Governor eliminated Williamson Act subventions in the 2009-10 budget, in part because of concern that non-farmers are taking advantage of the property tax breaks allowed by the Act. Yolo County is currently struggling with how to continue the program without the subvention funding, but is committed to closing any real or perceived loopholes in the Act and increasing enforcement of the Act's provisions.

Support budget proposal to increase vital records fees set by the state that fail to cover Yolo County costs. Yolo County would raise \$120,000 per year if allowed to charge vital records fees that reflect the actual cost of providing the service. Yolo County's successful effort last year to pass legislation to increase county fees set by the state lends credibility to an effort to raise other fees that do not cover the cost of service. The

California State Association of Counties has added this item to their list of 2010-11 budget requests.

Track population cap as eligibility criteria. Yolo County currently has 197,000 residents and expects to pass the 200,000 mark next year. Growth will occur in existing rural towns and the county will remain a rural county, with the majority of its land in agriculture and open space. Past legislative proposals have capped rural county eligibility at 200,000 people. Yolo County should compete for grant funding with other rural counties, not large or suburban counties. Any legislative definition of “rural” going forward should cap eligibility at 250,000 people.

STATE AGENCY PRIORITIES

Request completion of rural levee evaluations in 2010. Yolo County appreciates the state’s 2007 decision to evaluate rural levees. In January 2008, the Board of Supervisors sent a letter to the Department of Water Resources (DWR) requesting that DWR study Yolo County’s rural levees first. Without geotechnical evaluations of levee stability, Yolo County cannot evaluate solutions to help protect these residents. As of January 2010, DWR had not completed the rural levee evaluations.

Protect Yolo County’s interests during implementation of water and Delta legislation passed in 2009. State agencies are starting to implement the 2009 “water package,” including creation of the Delta Conservancy and the Delta Stewardship Council.

Explore use of Cache Creek Settling Basin residual material as a cover material for the county’s landfill cells. The County will close old landfill cells in the coming years and will be required to purchase additional soil in the process. Excavating and applying the overburden material that has built up in the Settling Basin will serve to help both the flood mitigation capacity for Cache Creek and the requirements for the landfill closure process. Mercury concerns are inevitable, but sealing the mercury in perpetuity as part of the cover material mix in the landfill may keep mercury out of waterways that empty into the Yolo Bypass and ultimately into the Delta.

Pursue change to closure/post-closure endowment fees (liability) for the County’s landfill. If the formula applied to the current post-closure liability fee is altered slightly, the county could use a substantial amount of money sitting in the endowment fund. It appears that the methodology currently applied by the state is antiquated and does not really recognize some of the more cutting edge processes currently underway at the county’s landfill (i.e., bio-reactor, possible re-mining of older cells etc.), so the County is paying more to the endowment fund than necessary.

Maximize funding available from the state for construction of affordable housing projects. In coordination with Yolo County Housing and other interested parties, seek funding for construction of affordable housing projects from state agencies.

Ensure Yolo County interests are furthered during implementation of SB 375 (Steinberg). The Governor signed SB 375 in 2008, a bill to link transportation and land use planning. State agencies are in the process of implementing the legislation and developing associated grant programs.

Ensure Caltrans completes right-of-way acquisition for the I5-113 interchange in 2010. Caltrans must complete acquisition of right-of-way for the I5-113 interchange in 2010 to open up funding opportunities for construction.

DELTA PRIORITIES

Secure a significant role in Bay-Delta Conservation Plan (BDCP). Work with the Delta Counties Coalition and the Resources Agency to secure a significant role in the development of the BDCP.

Support Yolo County's request to lead BDCP Fremont Weir modification working group. The BDCP consultants are developing a working group to explore the Fremont Weir modification conservation measure currently included in the BDCP. The County should lead the working group's efforts.

Ensure BDCP is integrated with Yolo Natural Heritage Program. The BDCP is currently discussing ways in which the BDCP will be integrated with local HCP/NCCPs. Ensure that Yolo County's Natural Heritage Program recommendations (currently under development) are adopted, including the recommendation that BDCP provide regulatory assurances for landowners adjacent to BDCP habitat project areas and support for efforts to retain vegetated levees within the Natural Heritage Program planning boundary.

Secure sufficient funding to minimize BDCP or Biological Opinion impacts and address Yolo County priorities. The BDCP proposes between 13,000 and 20,000 acres of habitat restoration in Yolo County, while the Biological Opinions propose 20,000 acres. Yolo County will need funding to track, analyze, and respond to proposed habitat restoration projects, as well as funding to minimize impacts and address Yolo County priorities.

Eliminate or reduce local government match for economic assistance. If the bond is approved in November 2010, Senate Bill 7X-2 authorizes up to \$750 million for a host of water supply, levee improvement, and similar regional projects that provide "public benefits and support Delta sustainability." (Water Code § 79731(a)(1).) It also

authorizes, but does not require, up to \$250 million of this sum to be allocated for “assistance to local governments and the local agricultural economy due to the loss of productive agricultural lands for habitat and ecosystem restoration within the Delta.” (Water Code § 79731(a)(3).) The allocation of monies pursuant to these provisions is capped at 50 percent. (Water Code § 79732(a).) This leaves local governments in the impractical position of having to cover at least one-half the cost of any economic “assistance” needed as a consequence of such restoration projects. Most, if not all, local governments will be unable to bridge this gap and will thus be left with no state assistance.

Support Delta Protection Commission funding. The Delta Counties Coalition is exploring ways to use the newly reconstituted Delta Protection Commission to meet some of the technical assistance needs of the Coalition. The Governor’s 2010-11 budget includes \$2.4 million in funding for the new DPC (an increase of almost \$2 million from 2009-10) from the Environmental License Plate Fund. Additional funding should be provided as necessary to hire staff and consultants to ensure consistency between the Delta Plan and the Delta Resources Management Plan and help draft the Economic Sustainability Plan.

Support Delta Conservancy funding. Work with the Delta Counties Coalition to identify and secure sufficient funding for Conservancy efforts to develop the Economic Sustainability Plan, assist with the Delta Plan, and establish and implement projects and programs consistent with the Delta Resources Management Plan, including recreation, tourism, and economic sustainability.

Secure Delta emergency communications funding. In 2008, Yolo County successfully advocated for up to \$5 million for Delta emergency communications in SB 2x 1 (Perata). Yolo County is working with the four other Delta counties and the Yolo Emergency Communications Agency to ensure the Department of Water Resources distributes the funding in 2010.

Secure funding for implementation of SB 27 Delta emergency preparedness recommendations. Yolo County actively supported the passage of SB 27 (Simitian) in 2008, which established a task force to develop Delta emergency preparedness recommendations. Yolo County supports allocating existing bond or other funds to implement the task force’s recommendations, including funding for California Emergency Management Agency staff to lead implementation efforts.

Secure funding outside the state General Fund for payment of fees in-lieu of property taxes for lands acquired by the state. Past public acquisitions for habitat conservation and flood control have significantly reduced revenue available to local governments to provide services. The Department of Fish and Game owes Yolo County close to \$1 million for fees in-lieu of property taxes owed on the nationally-renowned Vic Fazio

Yolo Wildlife Area. Despite statutory language requiring payment, the department has not paid since 2001. Yolo County supports establishment of a funding source outside of the General Fund to pay existing and future obligations for state-owned land.

Ensure Delta mercury Total Maximum Daily Load recognizes projects with a public benefit. The Regional Water Quality Control Board's proposed Delta mercury Total Maximum Daily Load (TMDL) will increase the costs of projects with a public benefit (e.g. flood management and habitat restoration), as well as extend the time needed to complete projects. The TMDL should provide flexibility for projects with a public benefit, such as habitat restoration, flood management, and water supply improvements.

Extend 75% state cost-share for levee rehabilitation. Support extension of the (up to) 75% state cost-share for levee rehabilitation through the levees subvention program that is scheduled to sunset this year. Support multi-year funding commitments for the levees subventions program.

Support stockpiling of emergency levee repair material. Work with the DWR to prioritize and fund stockpiling of material for emergency levee repair at strategic locations in the Delta, consistent with state and federal goals. Strategic stockpiles could stabilize a levee before, during, or after a break, and could be used to stabilize other islands to preclude a multi-levee break. Stockpiling is a less expensive alternative to levee repair after a failure.

Support for funding to develop locally-initiated Delta habitat restoration projects. Support grants or other efforts to secure funding for locally-initiated fish habitat and terrestrial habitat restoration projects that have community support and are consistent with state and federal goals.

OTHER BUDGET PRIORITIES

Restore Williamson Act subventions. Governor Schwarzenegger cut funding for Williamson Act subventions in the 2009-10 budget, reducing revenue to Yolo County by \$1.3 million. Yolo County supports immediate restoration of subventions to reward counties that protect agricultural land and open space consistent with state policies to reduce greenhouse gas emissions.

Support California State Association of Counties' efforts to protect county funding for key programs. The California State Association of Counties (CSAC) continues to advocate for protection of important sources of revenue for programs administered by counties, as well as other budget issues. Yolo County will continue to support these efforts.

Support use of Mental Health Services Act (MHSA) funding for core mental health programs. Utilize MHSA resources to sustain the current crumbling mental health system as it transforms to a community-based, non-institutional, culturally appropriate, service-driven system. Integrate core programs and MHSA programs into one system, so individuals and families can have access to needed support and services.