



2019

Federal and State Legislative Priorities

Sacramento County

Federal and State Legislative Priorities

2019

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I. INTRODUCTION

This document sets forth the legislative and regulatory priorities of the county.¹ These priorities are drafted and revised in consultation with county departments and presented annually to the Board of Supervisors for consideration.

These priorities provide policy guidance to staff on federal and state legislative, budget, and regulatory matters. Legislative or regulatory issues that emerge during the year with the potential to affect the county, that are not addressed in these priorities, and require county input will be presented to the Board of Supervisors before staff takes action.

II. GENERAL STATE AND FEDERAL PRIORITIES

A. State Budget

1. Ensure adequate and ongoing funding for programs that the county carries out on behalf of the state or as required by state-imposed mandates, including support of efforts to provide constitutional protections that guarantee an ongoing revenue stream.
2. Support state funding for county programs that is proportional to county responsibility for state mandated programs.
3. Support proportional and ongoing funding for cost shifts from the state to the county for any new or expanded state mandated programs enacted either through legislation or ballot measure.
4. Support sufficient and ongoing funding for existing state mandated programs that reflects the actual cost of providing the service.
5. Support efforts to prevent any pass-through to counties for payment of federal penalties or for federal sanctions imposed upon programs that counties carry out for the state.
6. Support adequate and ongoing funding for the expansion or revision of discretionary county programs or services.
7. Support timely state payments owed to counties and oppose deferrals of payments to counties.
8. Support efforts to prevent the diversion of funding from current programs or that do not cover county administrative costs, including automation, unless the Board of Supervisors specifically supports the new or expanded program that diverted the funding.

B. County Revenues

1. Support efforts to protect discretionary county revenues.
2. Support any efforts to protect current state constitutional protections for county revenues.

¹ These priorities are lettered and numbered for reference purposes only and do not indicate priority order.

3. Support efforts to obtain reimbursement for the costs of operating county programs.
4. Support the distribution of adequate shares of funding from state formulas to Sacramento County.
5. Support legislation that gives counties the flexibility to determine which programs discretionary revenues will fund.
6. Support maintenance of effort fund matching requirements that are no more restrictive than those requirements already specified in state or federal legislation.
7. Support the protection of county revenues due to new city incorporation or annexation.
8. Support legislation that provides sufficient revenue for county services.
9. Support legislation that provides sufficient revenues to fund caseload growth in state mandated programs.
10. Support state repayment of the ongoing and increasing costs owed counties for operating state human service programs since 2001, referred to as the human services funding deficit, as well as for future payments.
11. Participate in state-local government program restructuring and fiscal reform efforts.
12. Support restoring the county share of property taxes to the pre-Educational Revenue Augmentation Fund level.

C. County Home Rule

1. Support the preservation of local governments' home rule authority and local decision-making authority. Oppose preemption of local control or local autonomy.

D. County Administrative Flexibility

1. Support legislation that will increase county flexibility in administration of federal, state, or local programs.
2. Support legislation that removes or eases costly or burdensome administrative regulations, which limit or delay the efficient delivery of county programs and services.
3. Support the allocation of bond funds or block grant funds to counties with maximum flexibility on how funds are to be administered.
4. Support reasonable state regulatory and administrative oversight of programs counties carry out on behalf of the state.
5. Support state budget proposals or legislation that require counties to administer changes or reductions to existing state programs when there is or will be adequate guidance, timelines, or resources from the state.

6. Support legislation that improves operations through the use of technology and/or enhanced operational efficiencies.
7. Support legislation that promotes consistency between programs and/or simplifies eligibility determinations.
8. Oppose legislation or regulations that do not allow the county sufficient time for effective implementation of new programs or state-imposed mandates.
9. Support legislation to give counties more flexibility in the use of design-build as an alternative method of project delivery.

III. FEDERAL PRIORITIES

A. Water and Environment

a. Sacramento-San Joaquin Delta

1. Support policies consistent with the Board's 2008 water policies, the 2011 regional policies of the Sacramento Region Water Resources Coalition, and the principles of the Delta Counties Coalition. Support federal actions related to the Delta that do not reduce or preempt the authority of Sacramento County.
2. Oppose California WaterFix and any legislative or regulatory actions that would further the project.
3. Support the preservation of state granted water rights and promote state and federal water operations that ensure delivery of water supplies based on water rights and contract obligations.
4. Support actions that promote local control, mitigation of impacts to our region and county, and increase federal funding for water resources, reuse, recycling projects including access to federally-backed, low-cost, long-term financing and expanded competitive grant assistance opportunities.

b. Floodplain Management

1. Support the Natomas Levee Improvement Program as lead by the Sacramento Area Flood Control Agency, California Department of Water Resources, Central Valley Flood Protection Board, and the US Army Corps of Engineers.
2. Support actions and projects that will help secure 100-year flood protection as soon as possible, and 200-year flood protection over time, for the Natomas Basin.
3. Support actions and activities that allow agricultural operations and local agricultural-based economies and communities to remain economically viable and sustainable in light of levee decertification, the Federal Emergency Management Agency (FEMA) Map Modernization program, federal floodplain management strategies, and the National Flood Insurance Program (NFIP).

4. Advocate for and support changes in the NFIP and FEMA regulations that allow for the replacement of, and reinvestment in, existing agricultural structures and operations in the floodplain without requiring elevation or floodproofing.
5. Support efforts to provide access to affordable flood insurance for property and business owners in the county including agriculture and legacy communities located in the floodplain.
6. Advocate for changes in the NFIP to allow homeowners in a FEMA Special Flood Hazard Area, whose homes have sustained major damage from a fire or other unforeseen event, to rebuild their homes without elevation requirements while ensuring their flood insurance costs remain the same.

c. South Sacramento Habitat Conservation Plan

1. Support and request assistance to acquire federal regulatory approval for the South Sacramento Habitat Conservation Plan and further emphasize the importance of continued funding of the Cooperative Endangered Species Conservation Fund.

d. Alternative Fuel Credits

1. Support efforts to reauthorize the Federal Alternative Fuel Excise Tax Credit; the Biodiesel Production and Blending Tax Credit; the Alternative Fuel Infrastructure Tax Credit; and Biodiesel and Renewable Diesel Fuels Credit.

e. Extended Producer Responsibility

1. Support legislation to establish product stewardship programs that provide incentives and/or require product manufacturers to redesign products to make them less toxic, less wasteful and easier to recycle, and shifts the end-of-life cost for collection, recycling, and proper disposal of the products from local government to the manufacturers and retailers and other sources.

B. Health Care Reform/Patient Protection and Affordable Care Act (ACA)

1. Support implementation of the ACA that maximizes federal revenue to counties and that provide counties the necessary tools to implement the ACA.
2. Support legislation that will minimize county costs or impacts of implementing the ACA.
3. Oppose legislation that would shift costs of the ACA from the federal or state government to the county.
4. Support health coverage enrollment and renewal processes that are easy to administer and easy for clients to use and access.

C. Transportation

a. General Objectives

1. Support a more streamlined and flexible approach to allocating federal funds, in which federal programs provide state, regional, and local agencies the ability to allocate federal funds for a range of highway, transit, local road, and bicycle/pedestrian improvements based on need.

b. Protect and Enhance Transportation Revenues and Expenditures

1. Support enhanced revenues and keep the Highway Users Trust Fund solvent. This includes support for an increase and/or index of the federal gas tax.
2. Support core programs, such as preservation and safety, when considering consolidation of existing programs.

c. Protect Previous and Future Investments via System Maintenance and Preservation

1. Support providing increased funding as it is critically needed to provide for adequate maintenance and preservation of both the existing local and state transportation systems.
2. Support providing increased funding for preventative maintenance on bridges, and for rehabilitation and upgrades to structurally deficient and functionally obsolete bridges, on and off of the Federal highway system. Support increased funding for the Highway Bridge Program.

d. Increase Safety on Existing Transportation System

1. Support increased funding for safety infrastructure projects on the existing transportation system, with an emphasis on programs/projects aimed at reducing fatalities, especially on the rural road system where fatality rates are the highest. Specifically, support and increase funding for the Highway Safety Improvement Program and the High Risk Rural Road Program.
2. Support funding for the implementation of the Strategic Highway Safety Plan and funding for the bicycle and pedestrian safety projects and programs.

e. Streamline the Regulatory and Project Delivery Processes

1. Support streamlining of federal regulations/requirements to facilitate more expeditious project delivery. For instance, mandate federal permitting agencies to meet the prescribed scheduled and deadlines that are specified in the environmental review process, reduce overhead, eliminate waste, and reduce documentation that is redundant with processes required under state law.
2. Ensure that federal project oversight is commensurate to the amount of federal funding.

f. Increase State, Regional, and Local Agency Flexibility to Respond to Needs

1. Support maximizing use and flexibility of federal funds by not requiring minimum federal matches.
2. Support the elimination of the need to program multiple phases for small projects and Transportation Improvement Program programming for air quality neutral projects.

g. Provide Assistance for Data Collections

1. Provide funding, training, tools, and uniform standards for the collection of roadway and traffic data specifically for the local and rural roadways. Without adequate data on local and rural roadways, it is difficult to evaluate safety performance. There are no uniform, national standards for traffic safety data collection, system analysis, and management except with reporting of fatal incidents.

h. Support Federal Grant Requests for Transportation Projects

1. Hazel Avenue Improvement Project, Sunset Avenue to Madison Avenue
2. U.S. Highway 50/Hazel Avenue Interchange Project
3. Capital Southeast Connector, connecting communities in El Dorado and Sacramento Counties
4. South Watt Avenue, SR16 to Florin Road
5. North Watt Avenue at Roseville Road Grade Separation
6. Metro Airpark at I-5 Interchange
7. Elverta Road Improvements, Dutch Haven Boulevard to Watt Avenue
8. Jackson Highway Intersection Improvements, Watt Avenue to Grant Line Road

D. Airports

a. Passenger Facility Charge (PFC)

1. Support raising the federal cap on the PFC program and adjust it periodically to offset the impacts of inflation.

c. Maintain and Expand Tax-Exempt Financing Options for Airports

1. Support the preservation and restoration of the tax-exempt financing for airport bonds.

d. Enhance Flexibility to Mitigate Environmental Impacts at Airports

1. Support the evaluation and implementation of cost-effective methods for a more environmentally friendly aviation system through increased opportunities to expand sustainability efforts at airports, and by streamlining National Environment Policy Act requirements.

e. Prohibit Cost-Shifting to Airports for Federal Security Responsibilities

1. Oppose efforts by the Transportation Security Administration and other federal agencies to shift federal responsibilities and costs to local airport operations.

f. Support Efforts to Provide Funding to Relocate the Air Traffic Control Tower at SMF

1. Support funding for the needed relocation of the Air Traffic Control Tower at SMF.

g. Explore Operational Measures and Protocols that Minimize Airport Impacts on Surrounding Communities

1. Continue to work with the FAA and Sacramento County's Congressional delegation to explore operational measures and protocols that minimize airport impacts on surrounding communities, including overflight noise.

E. Health and Human Services and Human Assistance

a. Funding

1. Support efforts to maintain or increase funding for services and housing, including from the Continuum of Care, Emergency Solutions Grant, and the Community Services Block Grant to support services and permanent housing solutions for persons and families experiencing homelessness.
2. Support funding for the Social Services Block Grant, used to augment county and state funded in-home supportive services for elderly and disabled persons.
3. Support maintenance of federal funding levels to support the TANF, SNAP (CalFresh), Medicaid, and child support services programs to deal with escalating caseloads in each of these areas and support state and local flexibility to operate these programs consistent with community needs.
4. Support funding to help reduce barriers to accessing fresh food including at farmers' markets.

b. Title IV-E

1. Advocate for the continuance of the Title IV-E California Well-Being Project enabling Sacramento County to invest existing resources flexibly ensuring the safety of children and success of families.
2. Ensure that Title IV-E funding rules for Foster Care and Child Welfare Services do not limit county agency decisions about appropriate ways to meet the needs of children and youth by introducing staffing, service standards, service type, or other requirements that will reduce placement and service options.
3. Ensure state and local government flexibility to use Title IV-E funding for foster and transition-age youth programs and services to assist with the transition to self-sufficiency, including post emancipation assistance, such as secondary education, job training, and access to health care.

c. Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act

1. Support proposed HEARTH regulations that will increase the amount allowed for administrative costs (HUD currently allows up to 5 percent for administrative costs, but no more than 2.5 percent for the Grantee (Department of Human Assistance) and no more than 2.5 percent for the agency that runs the program, e.g., Volunteers of America).

d. Medi-Cal

1. Support removal of restrictions on the number of beds that inpatient psychiatric and drug treatment facilities may have in order for counties to receive Federal Medicaid financial participation in the cost of treatment as these restrictions limit the ability of treatment providers to financially sustain such treatment facilities. Removing this limitation will expand coverage by increasing the number of local inpatient facilities where services are Medi-Cal reimbursable.

e. Human Trafficking

1. Support legislation and funding opportunities for efforts that combat human trafficking and protect and assist victims of human trafficking.

f. Veterans

1. Support funding and legislation to ensure appropriate benefits and services are provided to eligible veterans and their dependents.

F. Economic Development

1. Support continued funding for clean-up and development of the former McClellan Air Force Base and Mather Air Force Base.

G. State Criminal Alien Assistance Program (SCAAP)

1. Oppose the Bureau of Justice Assistance's decision to discontinue SCAAP payments for inmates whose immigration status is unknown, scheduled to be implemented in the 2013 SCAAP cycle.

IV. STATE PRIORITIES

A. Major County Programs and Issues

a. Public Safety and Administration of Justice

1. Support legislation that recognizes the public safety system as a whole and ensures that the funding for programs within the system accounts for the operational and fiscal impacts on other parts of the system. Support adequate and ongoing funding for all segments of the public safety system.
2. Support efforts and funding to address county jail impacts of inmates with serious mental health conditions.

3. Support efforts to secure constitutional protections of funding sources for counties to perform state-to-county realigned functions.
4. Support legislation to change the current 4/5th vote requirement for rejection of the 2011 Public Safety Realignment Implementation Plan, as proposed by the Community Correctional Partnership, to a majority vote approval by the Board of Supervisors.
5. Support legislation and funding opportunities for efforts that combat human trafficking and protect and assist victims of human trafficking, including commercially sexually exploited children.
6. Support legislation to modify county responsibility for housing newly sentenced non-serious, non-violent, non-sexual offenders, including legislation requiring offenders who are sentenced to multiple years in county jail to be committed to state prison.
7. Support funding for a new Gordon D. Schaber Sacramento County Courthouse facility in downtown Sacramento.
8. Support funding for jail reconstruction and facilities upgrade costs.
9. In the context of bail reform, support the use of risk-based release decisions and oppose imposition of significant pre-trial or other responsibilities on counties without adequate funding and local decision-making authority. Support flexibility for counties to implement bail reform, including adequate time to address local needs and priorities.

b. Water

1. Support legislation that is consistent with the Board's 2008 water policies, the principles of the Delta Counties Coalition of which we are a member, and the 2011 regional policies of the Sacramento Region Water Resources Coalition.
2. Oppose California WaterFix and any legislative or regulatory actions that would further the project.
3. Support the preservation of state granted water rights and priorities and promote state and federal water operations that ensure delivery of water supplies based on water rights and contract obligations.
4. Support actions that promote local control, mitigation of impacts to our region and county, and increase state funding for water resources, reuse, recycling projects including access to competitive grant assistance opportunities.
5. Support legislation to provide funding for stormwater, water, and wastewater programs, including a constitutional amendment, which would place stormwater fees in the category of water and wastewater fees, for the purposes of Proposition 218 compliance.

c. California Environmental Quality Act (CEQA)

1. Work with the Legislature and Administration towards meaningful CEQA reforms that will improve the process and prevent abuse of the law.

d. Elections

1. Support legislation to reimburse counties for the costs of any special election called by the Governor and for the state's share of all other election ballot costs.

e. Parks

1. Support legislation that would allow community volunteers to implement park maintenance, program operations, and improvement projects in the county park system.
2. Support legislation that would provide or increase funding for parks, open space, the American River Parkway, and American River Parkway Conservancy Program projects including the Natural Resources Management Plan.

f. Childcare and Early Learning Services

1. Support legislation that will maintain or expand funding for subsidized childcare and early learning/preschool for low-income working families.

g. First 5 Commission

1. Support First 5 Sacramento's efforts to explore and advance alternative revenue sources for children's services. Oppose legislation that would reduce, eliminate, or redirect funding for the First 5 Sacramento Commission.
2. Support legislation that promotes healthy childhood nutrition and a physically active lifestyle, which will positively influence children's health and overall quality of life.

h. Child Support Funding Equity

1. Support legislative, administrative, and/or budgetary efforts to revise the California Child Support Services Department's funding allocation methodology to address funding equity issues as identified by Sacramento County.

i. Health Services

1. Oppose any efforts to reduce funding or shift costs to the county for health care services, including the following: Changes or repeal to the Affordable Care Act (ACA), Medicaid funding, behavioral health funding, and public health funding.
2. Support health coverage enrollment and renewal processes that are easy to administer, and are easy for clients to use and access.

3. Support legislation that would help increase patient access to local health and dental care services, and the quality of care provided. This includes support for the following:
 - Funding for local programs and services that promote healthy communities, including behavioral health, and drug and alcohol treatment options.
 - Reducing barriers to entry for medical professionals, including public health nurses.
 - Increasing public health infrastructure to address communicable diseases, chronic diseases, sexually transmitted infections, and emerging infectious diseases.
 - Increasing availability of Narcan beyond first responders and removing barriers to prescribing Suboxone, including easing the certification process for MDs, NPs, and other clinicians to provide Suboxone.
4. Oppose any efforts to shift additional IHSS costs to the county, including scheduled increases in the IHSS MOE. Support the reevaluation of the IHSS MOE in the context of 1991 realignment given its unsustainable program growth and the likelihood of fiscal impact to other realigned programs, while maintaining our capacity to provide vital health, mental health, and other social services programs.
5. Oppose any new diversions of funds away from county programs from the Mental Health Services Act (MHSA). Support maximum flexibility in the use of MHSA funds.
6. Support legislation that reduces complexity and increases local control of the Medical managed care system in Sacramento County.

j. Sustainable Resources Management

1. Support legislation that encourages and funds greater landfill diversion, while maximizing economy and efficiency, including: 1) the development of appropriate and adequate infrastructure and products, and 2) the creation or enhancement of new technologies (i.e., the production of energy and/or reduction of greenhouse gases).

k. Extended Producer Responsibility

1. Support legislation to establish product stewardship programs that provide incentives and/or require product manufacturers to redesign products to make them less toxic, less wasteful and easier to recycle, and shifts the end-of-life cost for collection, recycling, and proper disposal of the products from local government to the manufacturers and retailers and other sources.

l. Veterans' Affairs

1. Support legislation to ensure the state provides appropriate benefits and services to eligible veterans and their dependents.

m. Death Row

1. Oppose legislation allowing death row inmates to be relocated to Folsom State Prison or California State Prison, Sacramento.

n. Group Homes

1. Support legislation to eliminate the establishment of new state group home programs, facility expansions, or level changes unless supported by the host county.

o. Homelessness and Housing

1. Support legislation that promotes and finances the development of affordable housing and supportive services and that makes efforts to eliminate homelessness, including additional funding for transition-age youth programs, prevention, diversion and rapid rehousing, homeless shelters, transitional housing, permanent housing, and related services.
2. Support legislation that restores the state funded program for Senior Citizen Tax Postponement of the elderly, blind, and disabled.
3. Support legislation or administrative action that would increase the ability for Medicaid to cover the costs of flexible services that promote housing stability for persons experiencing homelessness.

p. Voter Threshold of Local Taxes

1. County positions on measures that seek to lower the voter threshold for local taxes will be brought before the Board of Supervisors and considered on a case by case basis.

q. Property Tax Administration Fee

1. Support legislation that would require all taxing jurisdictions which share in property tax revenues to pay their fair share of the costs incurred by the assessor, auditor, and tax collector in administering the property tax system.

r. Transportation

1. Support additional funding to the local transportation system and support new sources of funding to respond to transportation needs. Support continued direct subventions to local governments for the maintenance, preservation, and safety needs of the local system.
2. Support the preservation of existing funding sources dedicated to transportation, including the Road Repair and Accountability Act of 2017 (Senate Bill 1), to ensure that dedicated funding remains available to meet local transportation needs.

s. Disability Access

1. Support legislation that provides funding for the county and local businesses to comply with Federal and State laws and regulations governing disability access.

t. Aviation Fuel Tax Revenue

1. Support state efforts to identify and redirect aviation fuel tax revenue in accordance with the FAA directive, Policy and Procedures Concerning the Use of Airport Revenue (FAA-2013-0988).

s. Air Quality Emissions at Airports

1. Oppose legislation that would regulate emission requirements for airport shuttle busses or airport ground service equipment that does not provide funding to incentivize or reimburse airports for the cost to procure qualifying replacement busses or equipment.

t. Countywide and Regional Agencies

1. Support policy positions of neighboring cities, regional agencies, or other local agencies relating to action before the state legislature or state regulatory/administrative agency when appropriate or consistent with county policy.

V. Procedures for Expedited Positions and Comments on Federal and State Legislation and Rulemakings

On behalf of the Board of Supervisors, the County Executive or his designee shall direct the Governmental Relations and Legislative Officer on the appropriate position or comments that should be taken or made on pending state and federal legislation, budget items or regulatory rulemakings when:

- A majority of the Board has taken a position as members of another local legislative body and affected county department(s) agree(s) with the position; or
- The proposal is technical, non-controversial or the policy impacts to the county are minor and there is no existing legislative policy; or
- Action is needed immediately to ensure that the county's interests are protected; or
- Action is needed to prevent modification or termination of an existing county program or policy; and
- The Board of Supervisors will be informed of the actions taken on their behalf.

VI. Procedures for Board of Supervisors' Consideration of Statewide Ballot Measures

- Only those ballot measures that qualify for the statewide ballot will be presented to the Board of Supervisors for consideration. The Board will not be asked to take positions on petition initiatives while they are still being circulated for signatures.
- Constitutional amendments and bond measures upon which the county may have previously taken a position while it was pending in the state legislature may also be presented, if qualified for the statewide ballot.

- The Board of Supervisors will only consider ballot measures whose subject area relates to county policies or programs. If there is no relevant adopted legislative policy that applies, a new policy must be developed and submitted to the Board at the same time as the ballot measure.
- All ballot measures must be reviewed and an impartial analysis provided by the Governmental Relations and Legislative Officer prior to presentation to the Board. A decision to present a ballot measure to the Board, regardless of the recommending party, shall reflect a consensus about impacts to county interests.
- The Board report shall include a copy of the ballot measure or a link to it; sufficient information to understand the impacts to the county; a list of known support or opposition; and identification of existing county policy or policies that justify the recommended position or the new policy.
- The Board report shall be scheduled for action sufficiently in advance of the election to enable the Board's action to be relevant, and to the extent possible, to enable the Board to postpone and reconsider the measure at a later Board hearing.