



# COUNTY OF MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

ROBERT C. STEWART, CHAIRMAN  
PATTI A. REILLY, VICE-CHAIRMAN  
DOUG BALMAIN  
GARRY R. PARKER  
BOB PICKARD

DISTRICT III  
DISTRICT I  
DISTRICT II  
DISTRICT IV  
DISTRICT V



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### MINUTE ORDER

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TO: MARY B. HODSON, Administrative Analyst  
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*  
SUBJECT: 2003 Mariposa County Legislative/Regulatory Platform  
Resolution No. 02-430

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THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on December 3, 2002

#### ACTION AND VOTE:

Review and Approve the Proposed 2003 Mariposa County Legislative/Regulatory Platform  
(Administration)

**BOARD ACTION:** Jeff Green, County Counsel, advised that the requested changes have been made to the draft platform. Supervisor Parker requested that the issue relative to CalTrans and rights-of-way (sidewalk issues) be included to allow for flexibility of commercial activity within the right-of-way, possibly pursue an amendment to the Streets and Highway Code. (M)Pickard, (S)Parker, Res. 02-430 was adopted approving the platform with the addition of the right-of-way issue/Ayes: Unanimous.

cc: File

**RECOMMENDED ACTION AND JUSTIFICATION:**

(Policy Item: Yes  No )

Review and approve the proposed 2003 Mariposa County Legislative/Regulatory Platform.

The platform serves as Mariposa County's overall guide for advocacy in Sacramento for the 2003 calendar year. In addition to stating General Goals and Priorities, the draft platform includes several specific areas of focus including:

- ⇒ Continuing efforts to secure grant funding or other types of State agency funding for the solid waste composting facility.
- ⇒ Advocate with the State Board of Education regarding the value of the Regional Agricultural Education programs and encourage them to reconsider the closure of these offices.
- ⇒ Pursue funding to offset infrastructure costs for the Yosemite West and Don Pedro Wastewater Treatment Plants through Proposition 40 or other State bond funds.
- ⇒ Seek through legislative or regulatory means to provide the County with greater flexibility in the use of State Transportation Improvement Plan (STIP) funds to finance local road projects.
- ⇒ Seek through legislation or regulation to modify the restrictions on controlled burning for foothill communities and/or greater incentives for conversion technology in dealing with forest wastes.
- ⇒ Carefully monitor all legislation introduced in 2003 that will affect county requirements under the In-Home Supportive Services (IHSS) program.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

County staff solicited Board members and Department Heads on issues to include in the platform. In addition, each Board member was given an opportunity to meet with Dale Wagerman and his staff regarding issues they wished to include in the platform. Wagerman and Associates developed these proposals into the draft platform for the Board to review and approve.

The Board has adopted a Legislative/Regulatory Platform for the past several years. During the 2002/03 Final Budget Hearings, the Board approved funding for continuing the contract with Wagerman and Associates for legislative/regulatory services. Preparing the Legislative/Regulatory Platform is one of the services provided by Wagerman and Associates.

**LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Direct staff to make changes to the draft platform and approve the draft platform with modifications.

Do not adopt a Legislative/Regulatory Platform. Each individual advocacy effort will have to be specifically approved by the Board.

**COSTS:** ( X ) Not Applicable  
 A. Budgeted Current FY \$  
 B. Total Anticipated Costs \$  
 C. Required Additional Funding \$  
 D. Internal Transfers \$  
**SOURCE:** ( ) 4/5ths Vote Required \$  
 A. Unanticipated Revenues \$  
 B. Reserve for Contingencies \$  
 C. Source Description: \_\_\_\_\_  
 Balance in Reserve for Contingencies ,if approved:

**SPECIAL INSTRUCTIONS:**  
 List the attachments and number the pages consecutively:  
 2003 Proposed Mariposa County Legislative/Regulatory Platform

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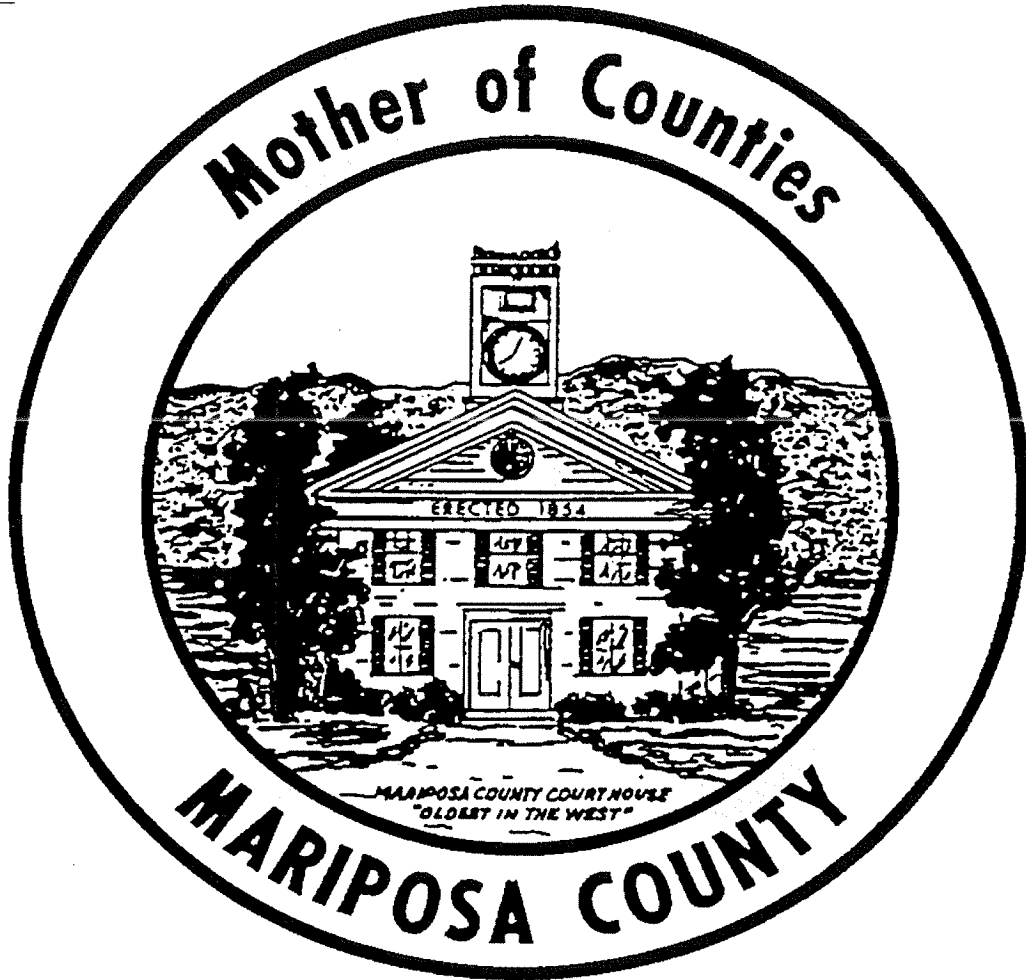
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11/13/03

**CLERKS USE ONLY:**  
 Res. No. 02-430 Ord. No. \_\_\_\_\_  
 Vote - Ayes: 5 Noes: \_\_\_\_\_  
 Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_  
 ( ) Approved ( ) Denied  
 ( ) Minute Order Attached ( ) No Action Necessary  
 The foregoing instrument is a correct copy of the original on file in this office  
 Date: \_\_\_\_\_  
 ATTEST: \_\_\_\_\_  
 MARGIE WILLIAMS, Clerk of the Board  
 County of Mariposa, State of California  
 BY: \_\_\_\_\_  
 Deputy

**ADMINISTRATIVE OFFICER'S RECOMMENDATION:**  
 This item on agenda as:  
 \_\_\_\_\_ Recommended  
 \_\_\_\_\_ Not Recommended  
 \_\_\_\_\_ For Policy Determination  
 \_\_\_\_\_ Submitted with Comment  
 \_\_\_\_\_ Returned for Further Action  
 Comment: \_\_\_\_\_  
 \_\_\_\_\_  
 CAO's Initials: WJW

# MARIPOSA COUNTY



**2003 ADOPTED LEGISLATIVE/REGULATORY PLATFORM**

**DEVELOPED BY:  
WAGERMAN ASSOCIATES, INC.**

**MARIPOSA COUNTY 2003 LEGISLATIVE/REGULATORY  
PLATFORM (ADOPTED)**

**MARIPOSA COUNTY**

**BOARD OF SUPERVISORS**

Lee Stetson..... District 1  
Doug Balmain ..... District 2  
Janet Bibby..... District 3  
Garry Parker..... District 4  
Bob Pickard..... District 5

Mariposa County  
Post Office Box 784  
5100 Bullion Street  
Mariposa, California 95338  
(209) 966-3222

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Wagerman Associates, Inc.  
1414 'K' Street, Suite 300  
Sacramento, CA 95814  
(916) 441-1850  
[wagloby@ix.netcom.com](mailto:wagloby@ix.netcom.com)  
<http://www.wagerman.com>

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## **A Brief Review of the 2002 Legislative Session**

The 2002 Legislative Session was characterized by extreme partisan wrangling, and set records for both the latest-ever State Budget and the largest-ever budget deficit. The State closed out Fiscal Year (FY) 2001-02 with a \$23.6 billion deficit, and the Budget finally passed (2 months late) by the Legislature for FY 2002-03 reflected substantial cuts in local programs. As signed by the Governor, the Budget relies heavily on one-time internal borrowing and transfer of funds. However, notwithstanding these one-time remedies this year, budget analysts predict future deficits of \$10-15 billion per year for the next 5 years.

In early debate, counties faced direct assaults on their General Funds. These came in the form of proposals to eliminate Williamson Act funding, and to require counties to pay half of a federal penalty for the State's failure to automate child support payment services. The cuts at local government levels were to programs and would have forced the County to either backfill or to cut the level of programs.

We were able to stop the General Fund cuts and mitigate some of the program reductions. For Mariposa County the following programs were restored:

- Williamson Act funds were preserved, despite the Governor's original proposal to eliminate this entire program.
- Funding for Drug Court Programs was restored by means of a Legislative Analyst's proposal to transfer \$6.5 million from Department of Corrections to the Drug Court Partnership to reflect the savings accrued to Corrections as result of these effective programs.
- Rural Counties Law Enforcement Grant funding was renewed, under which Mariposa County will continue to receive a \$500,000 grant for local law enforcement.

- \$118 million in Juvenile Justice funds were restored, which means that AB 1913 programs in the County will be continued.
- A proposal to require the counties to pay half of the penalties for the State's failure to institute a computer system for the collection of child support on a timely basis was rejected.
- The County will continue to receive its Vehicle License Fee (VLF) backfill payments, although this funding continues to be vulnerable dependent on Legislative action each year.

Legislatively, the second half of the 2001-02 Session provided several bills that are of interest to Mariposa County, including the following:

- **AB 1400** (*Cogdill*), regarding the innovative compost facility being constructed in Mariposa County, passed the Legislature overwhelmingly and was signed into law by the Governor. Although as signed, the bill contains no State funding it does require that a report be submitted by the County to the California Integrated Waste Management Board regarding the County's progress in funding, constructing, and operating this composting facility. Because the report will demonstrate the County's efforts in developing a waste management strategy to meet its AB 939 diversion requirements, it is hoped that the required study will be valuable in efforts to access grant funding from State agencies even if difficult budget cycles over the next few years make SGF funding inaccessible.
- **AB 2637** (*Cardoza*), also signed into law, takes an important step in improving air quality in the San Joaquin Valley by requiring the Smog Check II program in the Bay Area, thereby reducing air pollutants currently transported from Bay Area counties that are partly responsible for the Valley's and foothill's air pollution.
- A last-ditch effort to establish a Sierra Nevada Conservancy, via a gut-and-amend procedure using **AB 997** (*Dickerson*), was turned back in the final hours of the Legislative Session. We will be prepared



however, to watch for and oppose any legislation that may be introduced next year to establish this conservancy.

## 2003 Goals

In light of this year's major issues and next years' even larger challenges, the following are the general policy directions for Mariposa County's 2003 Legislative Platform:

- Preserve vital County revenues and funding sources from further reductions, especially those that would directly impact the County General Fund.
- Seek to access Proposition 98 funds by establishing a nexus between various local services and education.
- Identify and support measures that would improve Mariposa County's economic vitality, while maintaining its quality of life.
- Assure maximum funding for public health and safety programs in light of ongoing concerns about homeland security.
- Continue to advocate for maximum flexibility in the administration of state-mandated programs, and reduce unfunded mandates.
- Aggressively advocate for funding to repair and maintain County roads.
- Oppose attempts by the legislature and/or executive branch to decrease, restrict, or take away any County revenue sources or achieve sufficient mitigation to offset such actions. This would include any efforts to diminish County funding under the VLF back-fill and/or the Realignment Program.
- Maintain close relationships with Mariposa County's Legislative Delegation to foster greater advocacy for understanding Mariposa's issues.
- Build upon and increase the County's relationship with legislators representing the San Joaquin Valley and foster a clear understanding that the San Joaquin Valley region is made up of nine counties, including Mariposa.

- Oppose attempts by the legislature and/or executive branch that restricts or limits the County's land-use authority.

## Specific Priorities

**Issue:**      **Compost Facility Funding**

The composting project of Mariposa County, working in conjunction with the National Park Service, is a unique alliance, which has already been recognized in the form of federal funding assistance. There is a significant need for State assistance in order to complete the project and to establish a model that can be utilized throughout the State. AB 1400 (Cogdill), which was passed and signed into law, takes an initial step in the right direction by requiring a report on this project to go to the Integrated Waste Management Board. However, due to the State Budget crisis, all SGF funding was removed from the bill before its passage, so the State is not yet committed to becoming a partner with the County and the National Park Service in this effort.

**Action:**      Continue efforts to secure grant funding or other types of State agency funding outside of SGF for the solid waste composting facility, building on the successful passage of AB 1400. Contacts should be maintained with various State agencies including, but not limited to, the Integrated Waste Management Board, the Air Resources Board, and others with a nexus to this issue, in order to achieve funding and regulatory assistance.

**Issue:**      **Regional Agricultural Education Office**

The State Superintendent of Public Instruction recently made the decision to close the Regional Agricultural Education offices and to relocate staff to Sacramento. The Mariposa County Board of Supervisors strongly opposes the closure of these regional offices. The Agricultural Education Program is a very important program for rural counties, has been of great benefit to youth in the County, and enjoys strong community support. The regional

structure provides valuable local staff support with the curriculum and leadership activities for the Future Farmers of America (FFA) Program. These programs allow the opportunity for students to obtain technical skills, as well as leadership abilities that benefit our communities. Further, federal (Carl D. Perkins) monies are used to maintain these offices and it is important that the federal funds continue to be used for their intended purpose so as not to jeopardize the future of this funding source.

**Action:** Advocate with the State Board of Education regarding the value of the Regional Agricultural Education programs and encourage the Board to reconsider the Superintendent's decision to close these offices.

**Issue:**      **Fire Safe Funds**

The Fire Safe Council has been performing ~~much~~ valuable work in the high country, along with the Fire Service and Soil Conservation District, to clear brush and promote various fire safety protections. However, this is mostly a volunteer effort and is in critical need of some funding if it is to continue.

**Action:** Seek through legislative or budgetary means to establish funding for the Fire Safe Council.

**Issue:**      **Road Funding**

Roads throughout the County are in need of repair and maintenance. State Transit Improvement Program (STIP) funding allocated to the County can be used for these purposes. However, the current sources for road funding are not adequate to handle the growing financial needs of the County. Mariposa County has been experiencing rising costs in materials, labor, and equipment and is unable to keep up with the demands because of the

increased usage of our road system. The State specifies what projects will receive STIP monies (generally state highway projects), and allows the County very little flexibility in the use of these funds.

**Action:** Seek through legislative or regulatory means to provide the County with an increase in road funds that will address the growing costs associated with repairing and maintaining the County road system, and greater flexibility in the use of STIP funds to finance local road maintenance and repair projects.

**Issue:** **Increase Flexibility and Funding in the State Transportation Improvement Program**

Along with the increased costs associated with repairing and maintaining local roads, Mariposa County has experienced increased costs in State Highway improvement projects. The County is often placed in a situation of having to use the allocated amount of State Transportation Improvement Program funding to complete a state highway project, which can cost in excess of the County's share of STIP cycle funds and lose this needed funding for maintaining and repairing county roads.

**Action:** Seek through legislative or regulatory means to provide the County with greater flexibility in the use of STIP funding as well as increased funding in order to enable the County to adequately finance State Highway Projects and still be financially able to repair and maintain County roads.

**Issue:** **Rural Health Care/HMO Availability:**

Health Maintenance Organizations have been leaving rural locations throughout California, thereby causing great difficulty for County governments and their employees, and certainly the citizens of each County, including the citizens of Mariposa County. It is critical that

some solution be reached by the provision of rural healthcare within rural jurisdictions such as Mariposa.

**Action:** Seek a means to provide incentives for HMO's and other organizations to provide rural healthcare on a reasonable basis for Mariposa and other rural jurisdictions.

**Issue:** **Fish and Game – Planned Land Management Application Process**

There is a significant flaw in this process relating to informing affected property owners. The Fish and Game Commission has indicated a willingness to modify the statutes in recognition of this need to achieve significant and needed notification of affected individuals.

**Action:** Seek modification to statutes to change this action and achieve such notification.

**Issue:** **Fuels Reduction and Utilization of Biomass**

Mariposa County is very concerned with the potential of catastrophic wildfires that threaten private property and vital natural resources due to the massive buildup of vegetation fuels in recent years. Fire management has been the primary tool for reducing these fuel loads, but may not have as many opportunities now and in the future because of the lack of burn days caused by poor air quality. Also there have been few incentives developed for utilizing these fuels for beneficial purposes. Fuels removed as a fire threat with incentives in place can be transformed into efficient and environmentally sound products.

**Action:** Seek through legislation or regulatory means that creates incentives for utilizing fuel loads removed from private and public lands. Incentives for utilizing fuels can benefit the public by reducing the threat of catastrophic fires and provide environmentally beneficial products for energy production.

**Issue:**            **In-Home Supportive Services (IHSS) Program**

The IHSS program provides assistance to eligible (low-income) aged, blind and disabled individuals to allow them to remain in their homes rather than enter costly long-term care facilities. Major changes in this program, scheduled to go into effect January 1, 2003, will likely have a significant fiscal impact on the County. As required by the new policy, Mariposa County will designate an employer of record for IHSS workers, but opposes any requirement that the counties absorb future wage and benefit increases resulting from negotiations between the providers and employers.

**Action:**            Carefully monitor all legislation introduced in 2003 that will affect county requirements under the IHSS program.

**Issue:**            **Programs for the Aged**

The State Department of Aging withholds Federal Block Grant funds to reimburse counties for the costs of programs for the aged. The problem is that the Federal funds flow through the State as part of the budget process, and thus are significantly delayed in getting to the counties. As a result, local providers of these programs have had to take out large loans to keep them afloat until the State Budget was passed and counties received the funds to reimburse the providers.

**Action:**            Seek through legislation or regulation a means by which local providers of programs for the aged can be reimbursed for their services in a timely manner, without having to wait for the State Budget process to be completed.



**Issue:**            **Child Support Penalties**

The counties dodged a bullet this year, when the Governor’s budget proposal to force counties to share a portion of the penalties for the state’s failure to implement on time an automated child support system was rejected by the Legislature. However, if the budget crisis deepens as expected, this could again become an issue in future fiscal years.

**Action:**            Seek legislation that would prohibit the State from passing on to the counties the costs of penalties for the State’s failure to implement a statewide automated child support system.

**Issue:**            **Funding for Wildlife Services Program/Trapper**

Because of State budget cuts, the California Department of Food and Agriculture (CDFA) reduced the budget of the Cooperative Wildlife Services (WS) program this fiscal year. The WS program has a cooperative agreement with 40 counties, including Mariposa County that includes a fifty-fifty cost sharing of the program. The WS program provides the residents of Mariposa with professional assistance to resolve human/wildlife conflicts and reduces the likelihood of unskilled citizens resorting to “home remedies” that could adversely effect the environment and non-target species. Wildlife in rural areas may pose significant threats including killing livestock, destroying crops, damaging houses, and threatening public health and safety. During Fiscal Year’s 2002-03 final budget deliberations, the Mariposa County Board of Supervisors recognized the importance of maintaining this valuable program at its current level and picked up the State’s share of the program. The WS program provides for a full-time State Trapper in Mariposa County to deal with critical health and safety issues that can occur in a rural environment, such as trapping potentially dangerous predatory animals, removing hurt/injured wildlife, and euthanizing rabid wild animals.

**Action:**            Seek through legislation or regulatory means to bring the critical need of the Cooperative

Wildlife Services Program to the State's attention and restore funding to rural counties for the continuation of this vital program.

**Issue:**            **Cal Trans Right-Of-Way**

In the Mariposa town area, areas immediately adjacent to Mariposa businesses are under the jurisdiction of Cal Trans and in many cases their right-of-way extends to the edge of the buildings of the local businesses. This situation poses problems when local businesses attempt to put out "sale" signs or other forms of advertisement on the sidewalks.

**Action:**            Seek through legislative or regulatory means to amend the California State & Highway code and other related codes if necessary, to allow Cal Trans the ability to permit local businesses to conduct "normal" business functions within the Cal Trans right-of-way on the sidewalks in appropriate circumstances.