



City of Modesto Legislative Platform 2007-2008

MODESTO
WATER WEALTH CONTENTMENT HEALTH

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Modesto: A healthy, safe, attractive, economically vibrant, socially diverse and culturally rich city with a strong sense of identity and pride, a community engaged in the practice of citizenship with governance based on the principle of stewardship.

General Goals

The Modesto City Council and employees are committed to our Vision of:

Modesto: A healthy, safe, attractive, economically vibrant, socially diverse and culturally rich city with a strong sense of identity and pride, a community engaged in the practice of citizenship with governance based on the principle of stewardship.

The City’s Legislative Platform reflects the City’s Vision and Council’s goals, as outlined in the *Strategic Plan*.

In 2007-2008, the City Council will, as a top priority, support legislation that supports and finances public safety as well as facilitates and encourages attractive economic development, including infrastructure funding. The Council will support measures that retain local control over land use and annexation decisions. The Council will also oppose measures limiting the annexation and growth potential of the City but strive to preserve open space, farmland, natural beauty, historic buildings, and critical environmental areas.

At the same time, Council will continue to support legislation that brings health and safety funding to the City. The Council endorses the continuance of technology and other funding for public safety.

As in past years, the Council will continue to oppose measures imposed by the state or federal government that serve as unfunded mandates or which threaten local control. Council will also support measures that bring increased federal and

state funding to the City for projects that support the City’s Vision and *Strategic Plan*.

This platform forms the cornerstone of Council’s policy direction and provides a proactive approach to influencing policy and other governmental entities.

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Preamble

Whereas, the City of Modesto's legislative agenda is to promote the general welfare for citizens of California and specifically improve the quality of life for residents of Modesto, it shall be the policy of the Modesto City Council to: Support legislation that protects individual rights and to oppose legislation that infringes, denies, or restricts individual rights established in the Constitution of the United States and its amendments and the Constitution of the State of California.

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1. Housing and Neighborhoods	
City's Strategic Plan Element	Legislative Issue
<p>V.A.3. Create housing opportunities and choices for a range of household types, family sizes and incomes.</p> <p>H.II.C.1. Increase opportunities for home ownership.</p>	<p><u>Issue:</u> 1.1. Community Development Block Grant (CDBG) program funding, Federal Low Income Housing Tax program funding, and HOME Investment Partnership program funding target the affordable housing production needs of the local community, which would be difficult to address without the continued support of focused Federal housing program dollars. Loss of these program funds would eliminate or reduce qualified activities and/or areas qualifying for assistance.</p>
	<p><u>Action:</u> 1.1. Support continued funding of the CDBG program as provided by the U.S. Department of Housing and Urban Development. Support continued funding of the Federal Low Income Housing Tax program. Support continued funding of the HOME Investment Partnership program. Oppose changes to, or defunding of, the CDBG program, Low Income Housing Tax program, or HOME program.</p>
<p>H.IV.A.6. Resolve issues and identify a site for a Day Center for Homeless individuals.</p>	<p><u>Issue:</u> 1.2. As pressures increase on local housing supply and costs, the issue of potential homelessness should be addressed proactively rather than reactively, before significant problems arise locally.</p>
	<p><u>Action:</u> 1.2 Support continued funding for programs such as the Emergency Shelter Grant fund programs and McKinney Homeless Act fund program to address the problem of homelessness.</p>

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1. Housing and Neighborhoods	
City's Strategic Plan Element	Legislative Issue
<p>V.A.2. Promote compact building design.</p> <p>V.A.3. Create housing opportunities and choices for a range of household types, family sizes and incomes.</p>	<p>Issue: 1.3. Affordable housing production for low-income persons is often made more difficult as a result of political interest groups who advance a Not-In-My-Backyard (NIMBY) philosophy.</p> <p>Action 1.3. Support development of state programs that would fund tax incentives to neighboring property owners in order to encourage neighborhood development of affordable housing. Support funding to provide incentives to residential developers who elect to include a fixed percentage of affordable housing within each subdivision development permit.</p>
<p>IX.D. Promote high density housing in the downtown core.</p>	<p>Issue: 1.4. Bringing high density housing back downtown will diversify housing stock available within the City, will not contribute to urban sprawl and degradation of agricultural lands, and will stimulate the continued revitalization of the downtown area by creating a mixed-use environment with both peak and off-peak hours usage.</p> <p>Action: 1.4. Support development of state and federal funding sources to provide financing for high density housing projects in core downtown areas. Support legislation that would create incentives to developers who create high density housing in core downtown areas.</p>
<p>V.A.3. Create housing opportunities and choices for a range of household types, family sizes and incomes.</p> <p>V.A.3.b. Increase multi-family residential and affordable housing inventory.</p>	<p>Issue: 1.5. As the price of housing increases, fewer residents can afford to buy houses and the inventory of available multi-family housing diminishes. An adequate housing inventory to meet the City's varied and diverse housing needs is critical.</p> <p>Action: 1.5. Support development of state and federal funding sources to provide incentives to encourage construction of multi-family housing.</p>
<p>V.A.3. Create housing opportunities and choices for a range of household types, family sizes and incomes.</p> <p>V.A.5. Foster distinctive, attractive communities with a strong sense of place.</p>	<p>Issue: 1.6. Unprecedented number of foreclosed homes being abandoned; creating unsafe, crime attracting and general blight in neighborhoods city-wide. Unexpected results of this issue include reduced property values for adjacent property owners and a large reduction in tax revenue for the City of Modesto which has and will continue to impact the ability to provide city services from all city departments.</p> <p>Action: 1.6. Support establishment of a state and/or federal law to require lending institutions to assist families in refinancing/re negotiating their respective mortgage loans in order to keep families in the homes or support the establishment of a state or federal funding program to accomplish the same results.</p>

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2. Land Use and Planning	
City's Strategic Plan Element	Legislative Issue
<p>V.A.6. Preserve open space, farmland, natural beauty, historic buildings, and critical environmental areas.</p> <p>V.A.7. Reinvest in and strengthen existing communities and achieve more balanced regional development.</p>	<p>Issue: 2.1 Sustaining California's economy and environment in a way that ensures quality-of-life for all residents requires innovative thinking and a balanced, integrated, and inclusive approach. A statewide Growth Management Policy should be considered.</p> <p>Action: 2.1 Encourage the State Legislature to adopt a statewide policy for growth management.</p>
<p>I.B.1.b. Form regional partnerships for water and wastewater development.</p> <p>I.B.1.b.(1) Assemble water and wastewater Task Forces with area agencies and seek funding/buy-in from governing bodies.</p>	<p>Issue: 2.2. Unrestrained and/or inadequately planned-for urban growth will stretch current water resources to the limit in the not-too-distant future. Finite water resources will soon play a much larger role in land use planning. It is imperative that local government entities and regional government entities work together to ensure we will have adequate water resources for our future.</p> <p>Action: 2.2. Support federal and state funding targeted towards regional and inter-regional water resource planning efforts and related land use planning.</p>
<p>III.A.2. Incorporate Smart Growth principles as part of transportation planning.</p>	<p>Issue: 2.3. New demographic and economic realities pose challenges and opportunities for more efficiently linked land use and transportation strategies. When planned in concert with other regional strategies, transportation infrastructure can be used to channel growth in a more efficient and environmentally sensitive manner.</p> <p>Action: 2.4. Support a statewide study to strengthen the linkages between regional transportation planning and land use planning that seeks recommendations from local governments.</p>
<p>V.B.1. Achieve an equitable jobs-housing balance and avoid fiscal strains of leapfrog development.</p> <p>X.A.2.c.(2). Attract new industries that are "commuter employers".</p>	<p>Issue: 2.5. The Central Valley has an imbalance in the ratio of jobs available compared with increasing residential growth. This jobs-housing imbalance exerts pressure on both transportation infrastructure, as local residents must commute outside of the local area to find employment, and upon air quality.</p> <p>Action: 2.5. Support federal and state funding targeted towards correcting the imbalance in jobs available compared with residential growth locally and in the Central Valley.</p>

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2. Land Use and Planning	
City's Strategic Plan Element	Legislative Issue
III.B.2. Address transportation funding issues.	Issue: 2.6. Increasing demands for local residential housing production place a heavy burden on existing transportation infrastructure.
	Action: 2.6. Support development of state programs that would provide funding for construction of new transportation infrastructure and upgrades within communities experiencing explosive residential growth.
V.A.8. Make development decisions predictable, fair and cost-effective. VII.A. Seek external funding sources to improve revenue stream.	Issue: 2.7. Local governments often plan and approve land uses that compete with other jurisdictions (1) in order to increase tax revenues to meet growing demands for social and other municipal services, and (2) because of unreliable alternative sources of funding.
	Action: 2.7. Support changes in state legislation to provide local government with a stable revenue base in order to reduce the fiscalization of local land use policies.
VI.A.1. Develop an equitable distribution of revenues in a mutually beneficial binding agreement.	Issue: 2.8. Local jurisdictions are in the best position to judge appropriate land uses within their own spheres of influence (SOI). Development that occurs within a city's SOI prior to annexation, without approval from the city, often results in a conflict with the city's General Plan and/or zoning standards upon annexation. The development of commercial and/or industrial uses within a city's SOI can also result in the inadequate distribution sales tax revenues.
	Action: 2.8. Support legislation which would prohibit the issuance of building permits or land use approval in a city's sphere of influence without an agreement between the city and the county.
V.A.6. Preserve open space, farmland, natural beauty, historic buildings, and critical environmental areas. V.A.7. Reinvest in and strengthen existing communities and achieve more balanced regional development. V.A.7.a. Upgrade infrastructure and target infill areas for development.	Issue: 2.9. To preserve agriculture and reduce urban sprawl, residential growth should be directed to the incorporated areas within each county.
	Action: 2.9. Support legislation that would allow a city to control any increase in the intensity of land use within a city's general plan area. Support legislation that would grant LAFCO the jurisdiction over new development in unincorporated areas of county.

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3. Finances	
City's Strategic Plan Element	Legislative Issue
VII.A.1. Proactively seek state and federal funding for local projects.	Issue: 3.1. Timely and accurate receipt of revenues and grants from the county, state and federal agencies protects the financial stability of and revenue projections for municipalities.
	Action: 3.1.a. Support efforts that would provide greater accountability on the part of counties, state and federal agencies for the distribution of funds to municipalities, including but not limited to fines and forfeitures.
	Action: 3.1.b. Support legislation to improve collection capabilities for cities and counties.
	Issue: 3.2. State law authorizes counties to charge property tax administration fees. These fees reduce revenues for cities.
	Action: 3.2. Support the repeal of the property tax administration fee or seek state reimbursement of the property tax administration fee.
	Issue: 3.3. In the recession of the early 1990s, the state of California reduced property tax distributions to cities and counties. To make up for part of the shortfall, counties passed along costs to cities. Some counties, including Stanislaus County, charged cities booking fees for prisoners placed in county jail facilities. These additional fees were difficult for cities to afford. In addition, these fees are unfair, as residents of cities are charged for booking services, while residents of unincorporated areas are not.
	Action: 3.3. Support legislation to increase reimbursement and funding needed by counties for the management and booking of prisoners.
	Issue: 3.4. Local governments pay millions of dollars annually to support the Public Employees' Retirement System (PERS). This fund should not serve as a slush fund for state government and the policies which govern distribution should be determined by the agencies which pay into the fund, not by the state.
	Action: 3.4. Oppose legislation or actions by the Public Employees' Retirement System (PERS) Board which change PERS programs to benefit the state at the financial expense of local agencies.

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3. Finances	
City's Strategic Plan Element	Legislative Issue
VII.A.2. Reevaluate sales tax agreement with County to increase revenue base.	Issue: 3.5. Local agency control over policy and resource decisions is vital so that citizens may have an active voice in local government and local agencies can serve as stewards of public resources.
	Action: 3.5.a. Oppose any further shift that would make local agencies more dependent on the state for financial stability and policy direction.
	Action: 3.5.b. Oppose the shift of any city taxes or fees to any other jurisdiction.
	Issue: 3.6. Unfunded mandates by the state and federal government add to local costs and can impact our ability to perform essential government services.
	Action: 3.6. Oppose state and federal programs [unfunded mandates] unless funding is provided to support these programs.
	Issue: 3.7. Local governments rely upon fees, taxes and other revenue sources for fiscal solvency.
	Action: 3.7. Oppose any change in tax allocations or limitations/restrictions on local control which would negatively effect local government, including potential loss of franchise fees due to Federal efforts to deregulate the utility industry.
	Issue: 3.8. Annexations and tax sharing agreements are matters of local interest and authority and are best addressed at the local level.
	Action: 3.8. Oppose any requirement that there be a mutual agreement for cities and counties for tax distribution for all annexation proposals.
	Issue: 3.9. Over the course of the past 25 years, voter initiatives and state and federal government programs and policies have limited the financial ability of local governments to provide city services. Sales tax has replaced property tax as the primary revenue source for most local agencies.
	Action: 3.9. Support comprehensive long-term reform efforts to return to local governments their historical discretionary use of local revenues. Such efforts would include amending or permanently ameliorating the impacts of ERAF, property tax shifts and unfunded mandates.
	Issue: 3.10. As a result of AB 8 passed in 1979 Stanislaus, Alpine, Lassen, Mariposa, Plumas, and Trinity counties receive a lower percentage of property tax revenues than other counties in the State.

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	Action: 3.10. Support legislation that makes the distribution of property taxes more equitable for cities and counties throughout the State.
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4. Fire and Emergency Response	
City's Strategic Plan Element	Legislative Issue
	<p>Issue: 4.1. Many older essential building (police and fire stations, hospitals) in California may not survive serious earthquakes because they do not meet necessary construction standards. Local agencies do not have the funding needed to retrofit these buildings. Modesto Fire Station 1 is an example.</p> <p>Action: 4.1. Support legislation providing cities and counties with state funding for retrofitting essential buildings (e.g. hospitals, fire, and police) to current earthquake building standards.</p>

	<p>Issue: 4.3. Funding enhancements and improvements to public safety systems is difficult for local providers because of the competing demands for the resources that are available.</p> <p>Action: 4.3. Support legislation that will increase funding for public safety including public safety technology improvements.</p>
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H.II.K.1.a. Expand the use of Automatic Fire Sprinklers and other prevention technology.	<p>Issue: 4.4. Design and construction standards for schools are a responsibility of the State. SB 575 was signed into law on October 10, 2001 and requires automatic fire sprinklers in all new schools. Automatic fire sprinklers are an effective way to reduce fire losses and enhance the safety of students.</p> <p>Action: 4.4. Oppose legislation that repeals the fire sprinkler requirements for all new schools.</p>
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	<p>Issue: 4.5. Design and construction standards for schools are a responsibility of the State. Many schools have been built and are being built with only one all-weather access road. As a result significant traffic congestion occurs during the times of day when parents drop-off and pick-up their children. In the event of an emergency situation this traffic congestion could impede the timely response of emergency service providers.</p> <p>Action: 4.5. Support legislation that encourages school districts to make all possible efforts to have two all-weather access roads installed at every school. This will help ensure adequate emergency response, improve traffic flows, and reduce air pollution from idling vehicles during the peak traffic periods.</p>
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5. Economic Development & Business Attraction	
City's Strategic Plan Element	Legislative Issue
VIII.A.3.a. Expand and enhance a workforce training and development program.	Issue: 5.1. An educated, literate and skilled workforce is an economic stimulant that fosters business attraction and economic development.
	Action: 5.1.a. Support funding by the California Department of Education for funding for public adult schools and for worker literacy programs at work sites.
	Action: 5.1.b. Support legislation to ensure and coordinate continued funding for programs providing training and job preparation.
I.A.1. Our infrastructure is modern, efficient, effective, attractive and cost competitive.	Issue: 5.2. Adequate public infrastructure is critical to successful business attraction.
	Action: 5.2. Support legislation that provides additional funds for infrastructure or which provides options for financing developer requirements.
	Issue: 5.3. The state gives a competitive advantage for state highway funds to jurisdictions which have a sales tax for transportation projects.
	Action: 5.3. Support legislation giving cities/counties which have adopted developer fees "Self Help" status.
I.A.2.a. Assure design, installation and maintenance of attractive infrastructure.	Issue: 5.4. Additional parking is needed to stimulate economic development in the City's Downtown Core area.
	Action: 5.4. Seek federal funding to assist with the construction of additional parking facilities in the Downtown.

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5. Economic Development & Business Attraction	
City's Strategic Plan Element	Legislative Issue
<p>V.B.1. Achieve an equitable jobs-housing balance and avoid fiscal strains of leapfrog development.</p>	<p>Issue: 5.5. The City of Modesto has a jobs-housing imbalance, providing more housing than jobs for our residents. In recent years, this imbalance has been aggravated by escalated Bay Area housing prices that have forced residents to the more affordable Central Valley housing market. The Inter-Regional Partnership was established to seek state funding and other avenues to address this issue.</p> <p>Action: 5.5.a. Support legislation to increase funding and local flexibility to design and develop economic development programs that would increase job opportunities.</p> <p>Action: 5.5.b. Support legislation to encourage business creation and expansion.</p> <p>Action: 5.5.c. Support legislation providing tax credit priority for job generating projects in areas with a jobs-housing imbalance.</p> <p>Action: 5.5.d. Support legislation that will create a “jobs-housing opportunity zone” eligible for infrastructure incentives and tax-exemption incentives.</p>
<p>XII.A. Leverage private and public funds to enhance redevelopment.</p> <p>XII.A.5. Evaluate and explore expansion of the Redevelopment Area to include declining / underdeveloped portions of the City (i.e. Yosemite Corridor).</p>	<p>Issue: 5.6. Use of redevelopment funds outside of the project area are necessary in order to retain local authority over redevelopment expenditures for housing.</p> <p>Action: 5.6. Support legislation to continue receiving credit for redevelopment outside of the project area.</p>

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5. Economic Development & Business Attraction	
City's Strategic Plan Element	Legislative Issue
	<p>Issue: 5.7. The California Infrastructure and Economic Development Bank promotes economic revitalization and job creation by issuing tax-exempt and taxable revenue bonds providing financing to public agencies for infrastructure projects (e.g., essential infrastructure for business park developments). Current application procedures are cumbersome and difficult; local communities must often hire a consultant just to get through the application process. In addition, the state legislature has proposed cutting funding to this program.</p> <p>Action: 5.7. Support legislation that would make the application process for CIEDB funds easier. Oppose legislation that would cut funding for the CIEDB program.</p>
XII.A. Leverage private and public funds to enhance redevelopment.	<p>Issue: 5.8. Redevelopment activities have proven to be a vital economic development tool in Modesto. Redevelopment Law currently requires redevelopment agencies to use not less than 20% of all tax revenue for low- and moderate-income housing. There have been recent discussions at the State level regarding increasing the affordable housing expenditure requirement to not less than 25% of all tax revenue. A mandatory increase in required deposits to the L&M Housing fund would decrease the amount of funding available for redevelopment purposes by a corresponding amount, thus slowing down the progress that Modesto is making in redevelopment. The L&M Housing Fund grows only when assessed value in the project area increases as the result of revitalization and public investment in infrastructure, and the attraction of new employers, land developers, business tenants, and retail development. In addition, the 20% set-aside is usually a much greater percentage of the “net” amount of tax increment available to an agency after pass-through of a portion of the tax increment to other taxing entities. The housing set-aside is 20% of the “gross” tax increment, but it can be a greater amount of the “net” tax increment after deducting the amount of tax increment shared with pass-through agencies.</p> <p>Action: 5.8. Oppose legislation that would amend Redevelopment Law to require any increase in the amount of tax revenue that must be set aside for low- and moderate-income housing.</p>
XII.A. Leverage private and public funds to enhance redevelopment.	<p>Issue: 5.9. California Redevelopment Law gives local communities the authority and financing tools to be able to attack problems of urban blight and decay. As such, legislation designed to place unnecessary and burdensome restrictions on local redevelopment efforts should be opposed; and legislation designed to give local redevelopment agencies flexibility and control over how best to utilize tax increment should be supported.</p> <p>Action: 5.9. Oppose additional or expanded mandates on redevelopment activities or local authority to allocate redevelopment dollars; Support legislation that provides local redevelopment agencies with flexibility and local control over tax increment allocation.</p>

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6. Employee Relations/Workers Compensation	
City's Strategic Plan Element	Legislative Issue
	<p>Issue: 6.1. In order for the City to prudently plan for the future and remain fiscally healthy, local authority over employee benefit and compensation decisions is necessary.</p> <p>Action: 6.1. Oppose any measure that would grant employee benefits that would be more properly decided at the local bargaining table.</p>
	<p>Issue: 6.2. The City desires to maintain local control over all employee disputes.</p> <p>Action: 6.2. Oppose any efforts that would reduce local control over public employee disputes and impose regulations of an outside agency.</p>
	<p>Issue: 6.3. Current law provides extensive rights and protections to police officers and Firefighters in the areas of administrative investigations and discipline.</p> <p>Action: 6.3.a. Oppose efforts to make disciplinary proceedings for police officers or Firefighters similar to criminal proceedings, making it impossible to prove an administrative violation.</p> <p>Action: 6.3.b. Oppose any expansion to the California Public Safety Officers and the California Firefighters Procedural Bill of Rights or creation of new Federal "Police Officers Bill of Rights." Oppose extending these rights to other non-peace officers.</p>
	<p>Issue: 6.4. The City of Modesto does not participate in Social Security. The associated cost savings allows us to offer competitive salaries and attract well-qualified employees to our workforce.</p> <p>Action: 6.4. Oppose any form of mandatory Social Security Coverage for local government employees, who already enjoy superior retirement benefits.</p>
	<p>Issue: 6.5. Current law only requires local governments to pay for Medicare coverage for employees hired on or after April 1, 1986. The City does not pay coverage for any employee hired prior to this date. Our fiscal planning does not include the added costs of providing this benefit to non-covered employees.</p> <p>Action: 6.5. Oppose expansion of requirement for local governments to pay Medicare coverage for local employees beyond the current requirement of coverage for employees hired after April 1, 1986.</p>

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6. Employee Relations/Workers Compensation	
City's Strategic Plan Element	Legislative Issue
	<p>Issue: 6.6. Workers compensation benefits can be cost prohibitive if not monitored, defined and appropriately managed.</p> <p>Action: 6.6.a. Support legislation that manages costs of workers compensation benefits for occupational injuries/illnesses.</p> <p>Action: 6.6.b. Oppose legislation that expands or extends any presumptions of occupational injury or illness.</p>
	<p>Issue: 6.7. The Fair Labor Standards Act was originally enacted as a protection for employees in the private sector. For public agencies, it does not take into consideration the nature of public accountability or the generous leave benefits available to exempt employees.</p> <p>Action: 6.7. Support Federal legislation to modify or eliminate FLSA requirements on public agencies.</p>

7. General Government	
City's Strategic Plan Element	Legislative Issue
	<p>Issue: 7.1. With limited funding for roadway maintenance, cities need to take measures to protect their right of way.</p> <p>Action: 7.1. Support legislation to protect the public right of way.</p>
	<p>Issue: 7.2. Consumers who purchase items through the Internet and via mail order are not charged local sales taxes on their purchases. This practice gives Internet and mail order companies a competitive advantage and, at the same time, restricts the amount of sales tax revenues for local jurisdictions.</p> <p>Action: 7.2. Support legislation that fairly assesses local sales taxes for all methods of transaction.</p>
	<p>Issue: 7.3. In today's litigious environment, it is critical for public agencies to limit their liability exposure.</p> <p>Action: 7.3. Support measures to reform California's tort system to curtail unreasonable liability exposure for public agencies and restore the ability of public agencies to obtain affordable insurance.</p>

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8. Transportation & Infrastructure	
City's Strategic Plan Element	Legislative Issue
VII.A.1. Proactively seek state and federal funding for local projects.	<p>Issue: 8.1. The City of Modesto has hundreds of miles of underground water, sanitary sewer and storm drain pipelines that require maintenance and replacement. In addition, \$20 million a year is needed to maintain the City roadways; approximately \$5 million a year is budgeted. Federal and State money is needed to assist in maintaining the existing infrastructure and for its operation.</p>
	<p>Action: 8.1.a. Support legislation that enhances resources for local jurisdiction to maintain and operate their infrastructure.</p>
	<p>Action: 8.1.b Proposition 42 devotes sales taxes paid on gasoline to highway and transit improvements but this proposition contains a loophole which allows for the State to borrow from these funds. Support legislation that will close this loophole and make it impossible for the State to borrow from these funds.</p>
	<p>Action: 8.1.c Support legislation that eliminates the Maintenance of Effort (MOE) requirement for general fund spending in order to obtain proposition 42 monies.</p>
	<p>Issue: 8.2. Federal and State funding is allocated to the City, but can only be spent on specific streets with large volumes of traffic, and restricted corridors cannot be widened.</p>
	<p>Action: 8.2. Support legislation that provides increased local control over spending on streets and highways.</p>
	<p>Issue: 8.3. Contractors have the ability to file construction claims on a project due to additional work, time of days, profit loss, etc. Some claims are filed only to negotiate a settlement. If the City wins the claim, the contractor shall pay for legal fees defending the City.</p>
	<p>Action: 8.3. Support State legislation that would make contractors financially responsible for costs incurred by local agencies in response to defending frivolous construction claims.</p>
	<p>Issue: 8.4. When the City secures property in Stanislaus County, the County must approve of the acquisition, and if necessary allow the City the right to proceed with eminent domain.</p>
	<p>Action: 8.4. Support legislation amending Section 1810 of the Streets & Highway Code relating to acquisition of property outside boundaries in unincorporated areas, deleting the requirement that counties must consent to such acquisition, and thereby “leveling the playing field” for cities.</p>

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8. Transportation & Infrastructure	
City's Strategic Plan Element	Legislative Issue
VII.A.1. Proactively seek state and federal funding for local projects.	Issue: 8.5. A new and expanded Bus Maintenance Facility is needed to replace the existing one, which is undersized and in very poor condition. Approximately half of the funds needed for the new facility have been earmarked in the federal budget. Site demolition was completed in Summer 2004 . The first phase of construction is planned to start in fall 2006. However, construction of the second phase cannot proceed unless the project is fully funded.
	Action: 8.5. Support measures to finance local transportation facilities including the balance for the Bus Maintenance facility.
	Issue: 8.6. The Modesto City/County Airport is updating the Airport Master Plan to consider the extension of runway RW10L/28R. Wilson and Orville Wright Elementary schools are approximately one-half mile from the airport runways, and Wilson Elementary will be closer if the runway is extended.
	Action: 8.6. Oppose legislation that prohibits airport expansion when the existing facility is within close proximity (e.g., two miles) of a proposed or established public school site.
	Issue: 8.7. When property is listed for sale, property owners should be required to include a disclosure on the property deed, when a parcel is within Modesto City/County Airport's area of influence. The area of influence should not be smaller than suggested in the Caltrans Aeronautics' Airport Land Use Planning Handbook.
	Action: 8.7. Support legislation that requires property owners to provide a Notice of Public Disclosure of the proximity of an airport if the property is next to or near an airport. In addition, support Caltrans' Airport Land Use Planning Handbook's latest edition to prevent incompatible property development when the property lies within an airport's Runway Protection Zones, Inter Safety Zones, Inter Turning Zones, Outer Safety Zones, Sideline Safety Zones, and/or Traffic Pattern Zones.
	Issue: 8.8. Aviation fuel is taxed. These taxes should be used at the airport for airport services and aviation.
	Action: 8.8. Oppose legislation that would allow taxes collected from aviation fuel sales to be used for any other purpose than airport and aviation.
VII.A.1. Proactively seek state and federal funding for local projects.	Issue: 8.9. City growth requires new transportation corridors and utility extensions. An expressway/beltway will provide efficient travel around the perimeter of the City. In addition, existing improvements, such as water, sanitary sewer, storm drains, streets, public transit and lighting, need to be operated and maintained. Improvements to these facilities are needed to continue their required functions.

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	Action: 8.9. Support legislation that provides additional funding to improve transportation, public transit and the existing infrastructure in the City and region.
8. Transportation & Infrastructure	
City's Strategic Plan Element	Legislative Issue
III.B.2. Address transportation funding issues.	<p>Issue: 8.10. Adequate funds are necessary for the proper development of Modesto City-County Airport. Legislation at both the federal and state level should promote the maximum use of funds available in the aviation trust fund and state funds derived from aviation sources and services.</p> <p>Action: 8.10. Support a comprehensive national air transportation strategy that includes adequate, predictable and long-term funding necessary to sustain the planning and financing of airport development and provide adequate aviation facilities for an orderly and safe flow of air traffic.</p>
III.B.2. Address transportation funding issues. VII.A.1. Proactively seek state and federal funding for local projects.	<p>Issue: 8.11. The City competes with other jurisdictions for funding that provides traffic signalization, medians, public transit and designated turn lanes.</p> <p>Action: 8.11. Support legislation to increase transportation funding sources and financial programs to ensure local government receives a reasonable share of competitive funds for congestion relief and transportation systems.</p>
	<p>Issue: 8.12. Modesto City-County Airport has a low activity tower that is staffed by professional air traffic controllers through the Federal Aviation Administration's Contract Control Tower Program.</p> <p>Action: 8.12. Support the Federal Aviation Administration's Contract Control Tower Program in order to insure that the safety of the airport, its users and local community is maximized.</p>
III.B.3.a. Provide connections from conveniently located park and ride lots to ACE train. VII.A.1. Proactively seek state and federal funding for local projects.	<p>Issue: 8.13. Currently a proposal is being reviewed to bring the Altamont Commuter Express (ACE) train to Modesto. The state budget includes \$8 million specifically for an extension of ACE to Stanislaus County. The City of Modesto currently provides shuttle bus service to the ACE train Station in Lathrop/Manteca.</p> <p>Action: 8.13. Support legislation and funding to extend the Altamont Commuter Express Train to Modesto.</p>

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8. Transportation & Infrastructure	
III.B.6. Reduce transportation impacts on air quality	<p>Issue: 8.14. The California Air Quality Board has adopted regulations restricting and controlling public transit operations with increasingly rigid air quality standards. These regulations can and will impact the operational costs of providing public transit service.</p> <p>Action: 8.14. Support legislation that provides additional funding to assist public transit systems in meeting air quality standards. Oppose legislation that will mandate any single operational practice or use of fuel. Support legislation that allows city transit agencies flexibility in meeting air quality standards.</p>
VII.A.1. Proactively seek state and federal funding for local projects.	<p>Issue: 8.15. The most difficult to predict operational cost for public transit operations is the cost of fuel.</p> <p>Action: 8.15. Support legislation to provide supplemental funding to transit agencies to cover unexpected increases in fuel prices.</p>
VII.A.1. Proactively seek state and federal funding for local projects.	<p>Issue: 8.16. The City of Modesto Transit Services is dependent upon federal and state funds for capital and operating expenses. Expansion of service is dependent on federal and state funds.</p> <p>Action: 8.16. Support legislation and funding that protects existing transit revenues from both state and federal budget cuts. Support appropriations of addition federal and state funds to public transit systems.</p>
VII.A.1. Proactively seek state and federal funding for local projects.	<p>Issue: 8.17. Protection of existing and future water sources.</p> <p>Action: 8.17. Support legislation, which enhances resources for local jurisdiction to maintain and operate their infrastructure.</p>
	<p>Issue: 8.18. Local governing bodies are in the best position to understand local circumstances. Decisions regarding land use should be based upon local criteria such as public safety, aesthetics, and economic and community development.</p> <p>Action: 8.18. Support legislation that provides increased local control over spending on streets and highways.</p>
	<p>Issue: 8.19. Every effort should be made to discourage frivolous lawsuits against municipalities.</p> <p>Action: 8.19. Support State legislation, which would make contractors financially responsible for costs incurred by local agencies in response to defending frivolous construction claims.</p>
	<p>Issue: 8.20. Section 1810 of the Streets & Highway Code provides that a City may acquire, or purchase or eminent domain, property outside its boundaries, if it is necessary to connect or widen the existing streets of the city and if the county consents to the acquisition.</p> <p>Action: 8.20. Support legislation amending Section 1810 of the Streets & Highway Code deleting the requirement that counties must consent to such acquisition and thereby “level the playing field” for cities which can be required to accept such streets.</p>

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8. Transportation & Infrastructure	
	Issue: 8.21. The High Speed Rail System authority is reviewing potential routings to connect the Central Valley and the Bay Area. Some options, if adopted, would delay the implementation of high speed rail through Modesto by several years.
	Action: 8.21 Support route alignments between the Central Valley and the Bay Area that would place Modesto in the first phase of high speed rail system construction.
	Issue: 8.22. The federal government has provided very little funding to public transit systems to ensure the security of passengers while providing billions of dollars to airports for security, even though transit systems carry 13 times as many passengers as airlines do.
	Action: 8.22 Support legislation that provides additional funding for transit system security.
	Issue: 8.23. Currently, the air service from Modesto City-County Airport to San Francisco International Airport is not meeting the needs of the area's air travelers.
	Action: 8.23 Support efforts to bring additional commercial passenger service to the Modesto City-County Airport.

9. Environment	
City's Strategic Plan Element	Legislative Issue
	Issue: 9.1. Air quality credits impact a region's ability to attract and retain business. Action: 9.1. Oppose air quality legislation for the San Joaquin Basin which gives a competitive edge or any particular advantage to any individual county in regards to offset credits.
I.C.1.b. Protect water supply from storm drainage contamination.	Issue: 9.2. Stormwater pollution prevention efforts such as best management practices and maximum extent practicable are effective water quality protective measures. Action: 9.2. Support amendments to the 1987 Clean Water Act that would clarify that numerical effluent standards do not apply to NPDES Stormwater Discharge Permits and that "Maximum Extent Practicable" (MEP) is the standard for stormwater discharges.
	Issue: 9.3. Remediation of groundwater contamination should be the financial responsibility of the entity responsible for the upstream-contaminated discharge. Action: 9.3. Support legislation, which amends the Porter Cologne Water Quality Act in such a way that the local governments would not be held accountable to assess and remediate water contamination (such as PCE in the case of Turlock) by the sole virtue of being the discharger of water contaminated by a second party.

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9. Environment	
	<p>Issue: 9.4. Environmental fees should be based on the service levels provided by the revenue-seeking agency.</p> <p>Action: 9.4. Support legislation, which repeals Fish and Game filing fees, unless these fees are clearly related to the level of service provided by the Department of Fish and Game in promptly reviewing environmental documents.</p>
	<p>Issue: 9.5. Current CEQA rules and regulations are sufficient for adequate protection of the environment.</p> <p>Action: 9.5. Support legislation, which minimizes, or streamlines, project level environmental review (particularly cumulative effects and growth inducing effects), if key issues have already been adequately addressed at the “Master EIR” or “Program EIR level.</p>
II.B.2. Establish a city/county hazardous waste team to coordinate the use and disposal of hazardous materials, particularly in the case of emergencies.	<p>Issue: 9.6. State and local governments must have an influence on the designation of hazardous material sites since the local level is most impacted.</p> <p>Action: 9.6. Support legislation that provides a role for state and local government in the designation of hazardous waste sites.</p>

10. Solid Waste	
City’s Strategic Plan Element	Legislative Issue
II.C. Maximize recycling and recovery participation through education and program assessment and development.	<p>Issue: 10.1. The Waste-to-Energy Facility generates electricity by diverting garbage that otherwise would be disposed of in the landfill and converting it into power.</p> <p>Action: 10.1. Oppose legislation, which would limit or reduce recycling credits for Waste-to-Energy projects in California. Support legislation which would allow for diversion credit for bio-mass in addition to diversion credit for Waste-to-Energy.</p>
II.C.3. Develop and implement new programs which will increase resource recovery and diversion.	<p>Issue: 10.2. To assist in meeting diversion goals, local recyclers must have end markets for their products.</p> <p>Action: 10.2. Support legislation and greater State involvement in assessing the availability of current markets and the development of future markets for beneficial use of solid waste materials, which would enhance or provide market incentives for recycling materials (e.g., plastics, compost).</p>

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10. Solid Waste	
City's Strategic Plan Element	Legislative Issue
II.D. Develop market for co-compost materials to allow for all biosolids to be utilized in the co-compost product.	Issue: 10.3. The recycling and composting of greenwaste and bio-solids increases waste diversion from landfills, and its reuse provides an excellent source of viable material for land and beautification use.
	Action: 10.3. Oppose legislation limiting reuse of greenwaste, bio-solids, or compost material. Oppose regulations that would impose unnecessary restrictions on composting facility operations. Support legislation that encourages the development of conversion technologies, including grants, rebates, and incentives.
	Issue: 10.4. In order to continue to provide quality service and to keep costs as low as possible for the rate payers, local jurisdictions must have flow control authority.
	Action: 10.4. Oppose legislation that would limit the local jurisdiction's authority by the County to regulate or direct municipal solid waste.
II.D.1. Continue use of green waste materials in co-composting operation to dispose of biosolids and expand markets for the co-compost.	Issue: 10.5. The land application of bio-solids and bio-solids compost has been demonstrated to be safe when done in accordance with State and Federal regulations.
	Action: 10.5. Support legislation which would prohibit counties from imposing outright bans or overly restrictive ordinance that would impose de-facto bans on the land application of bio-solids or bio-solids composts.
II.C.2. In accordance with AB939 regulations, prepare a resource recovery assessment that includes: <ul style="list-style-type: none"> • reevaluation of recycling program • green waste strategies • composting 	Issue: 10.6. Waste diversion, through recycling and source reduction, should be monitored for consistency according to each jurisdiction's existing programs and demographics.
	Action: 10.6. Oppose legislation, which would increase diversion mandates above 50%. Support proposals to increase the accuracy of data reported and an AB939 diversion rate measurement that relies upon implementation of programs and less on mathematical compliance. Oppose legislation/regulations imposing additional unfunded mandates.

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10. Solid Waste	
City's Strategic Plan Element	Legislative Issue
	Issue: 10.7. Hazardous electronic discards are an increasing problem, with over a million computers becoming obsolete in California each year. Cathode ray tubes from computers, televisions, camcorders, and other items contain lead and other materials that can pose hazards to human health and the environment and are prohibited from disposal in Class III landfills.
	Action: 10.7 Support legislation requiring computer and other hazardous electronics producers to operate or fully fund comprehensive programs whereby products are sustainably designed and labeled, as well as legislation that creates a convenient fully-funded collection infrastructure that will result in a high rate of recovery and maximizes environmentally sound reuse and recycling of such hazardous electronics products.
	Issue: 10.8. Millions of tires are dumped in California annually and pose a serious public health and environmental threat. Over 20,000 unwanted tires have been collected in Modesto over the last 5 years.
	Action: 10.8. Support legislation for increased tire enforcement. Support legislation to increase the advance disposal fee of waste tires. Support legislation requiring the DOT and CALTRANS to increase its use of rubberized asphalt and crumb rubber made from recycled tires.

11. Water Supply/Management	
City's Strategic Plan Element	Legislative Issue
	Issue: 11.1. The City's ability to protect its groundwater reserves is impacted by the ability to secure rights to surface water and groundwater reserves.
	Action: 11.1. Support measures, which increase water supply or improve water quality within the city/region and strengthen the City's rights for use of surface water.
	Issue: 11.2. Conservation of resources is a responsibility of all, including local government.
	Action: 11.2. Support legislation that will encourage the use of drought tolerant plant material and water conservation techniques.

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	<p>Issue: 11.3. Support water management strategies that are financially as well as scientifically responsible.</p> <p>Action: 11.3. Oppose mandatory groundwater management unless it is reasonable and the management reflects the representative views of all agencies which will be regulated, particularly local government.</p>
City's Strategic Plan Element	Legislative Issue
	<p>Issue: 11.4. Water providers must comply with drinking water standards established at both the State and Federal level.</p> <p>Action: 11.4. Support a fiscally and environmentally responsible reauthorization of the Safe Drinking Water Act.</p>
VII.A.1. Proactively seek state and federal funding for local projects.	<p>Issue: 11.5. Support water management strategies that are financially as well as scientifically responsible.</p> <p>Action: 11.5. Support measures that will fund water management improvements.</p>
	<p>Issue: 11.6. Citywide metering extends the life of the water system and promotes conservation.</p> <p>Action: 11.6. Oppose legislation that repeals the water metering requirements established with the passage of AB 2572. </p>

12. Communication/Technology

City's Strategic Plan Element	Legislative Issue
IV.B.1. Seek state, federal and private grant funding for technology.	<p>Issue: 12.1. Cities must have the authority to zone and plan for the deployment of telecommunications infrastructure and to maintain and manage the public rights-of-way and receive compensation for its use.</p> <p>Action: 12.1. Support State and Federal legislation to reaffirm home rule in oversight and revaluation of telecommunication entities, using public right-of-ways and affecting conditions addressed by local planning and land use policies.</p>
IV.B.2. Identify potential public/private technology partnerships.	<p>Issue: 12.2. Technology fuels economic development. That said, it is unlikely that local funding alone will accomplish the level of investment necessary to recognize all the benefits of the "information superhighway."</p> <p>Action: 12.2. Support legislation to fund telecommunication planning and implementation.</p>
IV.B.1. Seek state, federal and private grant funding for technology.	<p>Issue: 12.3. Geographic Information Systems (GIS) is a computerized mapping system that allows for the computerized inventory of infrastructure and other city assets. It provides an easy means for graphically presenting information, enhances the planning process, and promotes the sharing of information between agencies.</p>

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IV.B.2. Identify potential public/private technology partnerships.	Action: 12.3. Support legislation to fund GIS to better manage regional resources, respond to emergencies and plan for growth.
	Issue: 12.4. The Telecommunications Act of 1996 is in the process of being revised by Congress. The telecommunications industry has been lobbying for significant changes to the legislation. One significant change could be the loss of local authority to manage franchise agreements.
	Action:12.4a. Support legislative changes to the telecommunications act only if those changes are revenue neutral, keep control of the rights-of-way local, ensure that the allocation of the communication fee/tax will go to local governments.
	Action:12.4b. Oppose legislation at the state or federal level that would pre-empt or threaten local taxation authority. (Example, Utility User Tax).

13. Energy

City's Strategic Plan Element	Legislative Issue
VII.A.1. Proactively seek state and federal funding for local projects.	Issue: 13.1. With the growth occurring in Modesto and Stanislaus County it is important to ensure that our constituents have access to a reliable energy supply.
	Action: 13.1.a. Support conservation recommendations proposed by the League and California State Association of Counties.
	Action: 13.1.b. Support legislation that provides direct funding for conservation and demand reduction projects in city facilities; seek grant or loan funding for essential services (i.e., police/fire, water/wastewater) to purchase new or replace existing back-up generators that are more energy efficient and less polluting.
	Action: 13.1.c. Support incentives that stimulate development and siting of more energy generation facilities.
	Action: 13.1.d. Support legislation that increases the threshold at which a city is the lead permitting agency for an energy facility from 50 to 100 MW (or above) and oppose legislation which decreases the threshold.
	Action: 13.1.e. Support not getting directly involved with proposals to streamline the facility approval process except to suggest revisions which reflect technical comments from city experts on local government review and comment related provisions.
	Action: 13.1.f. Support actions to exempt cities with municipal utilities completely from the Energy Commission review process for all power plant proposed within their jurisdiction, regardless of the size of the facility.

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	Action: 13.1.g. Support not getting directly involved in legislative discussions and take no position on legislation to relax, suspend, or eliminate environmental regulations except to ensure that cities do not bear the burden of meeting the shortfall in environmental protection.
	Action: 13.1.h. Support all bills that enhance the public power options available to cities and counties.
	Action: 13.1.i. Support attempts to ensure that resolution of the energy shortage seeks equity for ratepayer classes and communities.
	Action: 13.1.j. Ensure that police and fire facilities are appropriately protected either legislatively or administratively if the range of exempted facilities is expanded; seek legislation or administrative resolution to giving advance notification to those businesses that use hazardous materials which could pose a danger if the plant is not shut down properly.
	Action: 13.1.k. Support efforts to determine whether market abuse occurred and asking that appropriate action be taken to remedy the problem if illegal activity did occur.

14. Public Safety

City's Strategic Plan Element	Legislative Issue
	Issue: 14.1. The Modesto Police Department, like other municipal law enforcement agencies, spends an inordinate amount of time enforcing federal and state drug laws. In many drug cases, assets of responsables can be seized and after due process can be sold, with the proceeds going to local criminal justice agencies involved in the responsables' arrests and prosecutions.
	Action: 14.1. Support measures which would provide a greater share of seized assets to localities.
	Issue: 14.2. Driving under the influence of alcohol/drugs constitutes a dangerous crime to the Modesto citizenry and DUI laws are strictly enforced by the Modesto Police Department. Each and every DUI arrest by the Modesto Police Department is a significant drain on public safety resources for the City.
	Action: 14.2. Support efforts which allow local agencies to recover from the guilty party in accidents involving driving under the influence of drugs and/or alcohol.
	Issue: 14.3. Fines and forfeitures are a traditional source of revenue for local law enforcement. These revenues have been eroded for municipal government through the passage of State law that allow numerous state or county charges, penalties or assessments to be levied against those fines and forfeitures.
	Action: 14.3.a. Oppose attempts to transfer more fine and forfeiture funds to counties.
	Action: 14.3.b. Oppose legislation which allows state or county charges, penalties or assessments to be levied in lieu of or to replace actual fines and forfeitures.

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14. Public Safety	
H.I.B.6. Assess Drug Enforcement Efforts and minimize duplication of efforts (SDEA, MNET, etc.).	Issue: 14.4. Illegal drug trafficking, manufacture, sales and use are crimes in themselves and are also linked to other crimes that consume vast amounts of law enforcement resources. Prevention of illegal drug use is the most cost effective and efficient method to reduce drug and drug-related crime.
	Action: 14.4. Support legislation encouraging, establishing, or enhancing drug use prevention programs and policies.
	Issue: 14.5. Graffiti is blight to Modesto's community appearance; it is a crime of vandalism; and, it may incite gang action and/or retaliation.
	Action: 14.5. Support additional legislation to fight graffiti which would: 1) Expand parental responsibility. 2) Prohibit the issuance of a driver's license to anyone under the age of 18 who has been convicted of graffiti offenses. 3) Require publication of names to anyone arrested for graffiti offenses.
VII.A.1. Proactively seek state and federal funding for local projects.	Issue: 14.6. City of Modesto law enforcement costs continue to escalate due to the costs of necessary police personnel, the need for more sophisticated technological police equipment, the need for effective juvenile crime prevention programs and the existence of clandestine methamphetamine labs in the area.
	Action: 14.6.a. Support Federal legislation to continue funding the Omnibus Crime Bill for the benefit of Modesto communities (for law enforcement officers and equipment).
	Action: 14.6.b. Support legislation that will increase funding for public safety technology improvement.
	Action: 14.6.c. Support legislation and increased funding for juvenile crime prevention and abatement programs.
	Action: 14.6.d. Support legislation that will reimburse agencies responsible for identifying, tagging and removing waste from illegal drug labs.
	Action: 14.6.e Support legislation that would make Bureau of Narcotics Enforcement Task Force labs available to our jurisdiction for evidence process and drug lab clean-up.
	Action: 14.6.f Support legislation that would mandate revenue reporting of the State's 911 Fund, mandate revenue use for 911 systems only, and mandate distribution of all or a finite percentage of the funds to local governmental jurisdictions or communications centers.

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14. Public Safety	
City's Strategic Plan Element	Legislative Issue
	<p>Action: 14.6.g Support State legislation that protects current City revenues: SLESF (State Law Enforcement Services Fund) CLEEP (California Law Enforcement Equipment Program) Payment of Booking Fees, Vehicle License Fees, Property Taxes, Sales Taxes</p>
	<p>Issue: 14.7 California Proposition 36 also known as the "Substance Abuse and Crime Prevention Act of 2000" currently allows 1st and 2nd time nonviolent, simple drug possession to receive drug treatment instead of incarceration. In a sense this decriminalize drug use and needs to be either repealed or modified. The Drug Court Model is a proven method that has been weakened by Proposition 36.</p>
	<p>Action: 14.7a Support legislation that repeals or significantly modifies Proposition 36.</p>
	<p>Action: 14.7b Support legislation that facilitates the implementation of the Drug Court Model.</p>
	<p>Issue: 14.8 California's Three Strike Law is intended to keep repeat violent and serious felony offenders off the streets.</p>
	<p>Action: 14.8 Oppose <i>any</i> legislation that weakens California's Three Strike Law</p>
	<p>Issue: 14.9 The current process that local law enforcement agencies must go through to acquire Federal Homeland Security funds is difficult and cumbersome.</p>
	<p>Action: 14.9 Support legislation that facilitates local law enforcement ability to acquire the needed Federal Homeland Security funds.</p>
	<p>Issue: 14.10 Legislation reducing the immunity of local public safety entities for public safety actions such as pursuits, SWAT activities, negotiations, fire suppression and other emergency responses will hinder the ability of City of Modesto public safety departments to protect and to serve the community.</p>
	<p>Action: 14.10 Oppose legislation that reduces immunity for public safety actions i.e. pursuits, SWAT activities, negotiations, fire suppression and general emergency responses.</p>
	<p>Issue: 14.11 There are occasions when the Modesto Police Department works on extreme or extraordinary criminal cases. An example of this is the Scott Peterson murder investigation. These investigations are very costly and can deplete the funds in the department's budget very quickly.</p>

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	<p>Action: 14.11 Support legislation that provides funding support to local law enforcement agencies who work on extreme or extraordinary criminal investigations.</p>
	<p>Issue: 14.12 The Central Valley, including Modesto, has experienced an extremely high rate of auto theft when compared to other areas in the United States.</p>
	<p>Action: 14.12 Support legislation enhancing sentencing and eliminating sentencing consolidation or reductions for those convicted of auto theft.</p>
	<p>Issue: 14.13 The Chief Judge of the Ninth Circuit U.S. Court of Appeal recently appointed a three-judge panel to decide whether or not to issue a “prison release order,” effectively releasing 40,000 incarcerated inmates into the local communities. Additionally, the release would prohibit a county sheriff’s ability to transfer inmates from county jails to the state prison system.</p> <p>The potential release would negatively impact public safety statewide and in Modesto. A significant increase in both violent and property crimes could be expected, placing an added strain on the Modesto Police Department.</p>
	<p>Action: 14.13 Support the California State Sheriff’s Association, the Chief Probation Officers of California and the California Police Chiefs Association in any court action prohibiting the court-ordered release of prisoners from the State of California Corrections and rehabilitation System.</p> <p>Continue to support AB 900, which provides prison reform by expanding rehabilitation services, including substance abuse treatment, mental health services and vocational education. Additional prison and jail beds and expanded use of prison re-entry facilities are all proposed as part of the comprehensive prison reform.</p>

15. Parks and Open Space

City’s Strategic Plan Element	Legislative Issue
I.A.2.a (10) Preserve existing park infrastructure, such as tennis courts, buildings, swimming pools, etc.	<p>Issue: 15.1. Many of the City’s older parks and facilities are in need of renovation, and some infrastructure has been removed due to its unsafe condition. In addition, many facilities in need of rehabilitation contain asbestos and other toxic materials.</p> <p>Action: 15.1 Support/encourage legislation that includes funding for general facility rehabilitation and asbestos/toxic material abatement.</p>

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	<p>Issue: 15.2 The City of Modesto is aggressively trying to meet the regulations on accessibility to its existing facilities. The City is now relying on the use of CDBG funding, which could be better redirected into programs and services.</p>
	<p>Action: 15.2 Encourage inclusion to any park related legislation, per capita funds to renovate public recreation facilities to conform to Federal Americans with Disabilities Act (ADA) regulations.</p>
<p>III.B.5.c Develop the Virginia Corridor as a priority Class I Bikeway</p>	<p>Issue: 15.3 The City of Modesto has secured an abandoned railroad corridor, utilizing the Rail Banking Program. The City's plan for this 4.2 mile right-of-way is to develop a linear park and a Class I bikeway/pedestrian trail.</p>
	<p>Action: 15.3 Seek and support legislation that will include funding for this project as a line item or provide funding for bikeways and pedestrian trails. Encourage inclusion of non-motorized projects in air quality and traffic congestion mitigation legislation.</p>
<p>IX.B.4. Physically and visually link downtown amenities to the Tuolumne River Regional Park Gateway parcel. C.I.A.4. Seek funding for, and implement the Tuolumne River Regional Park Master Plan</p>	<p>Issue: 15.4 The Tuolumne River Regional Park Joint Powers Authority has completed the Master Plan and Environmental Impact Report for the 500+ acre park, and has completed the Precise Plan and Environmental Documentation for the Gateway Parcel.</p>
	<p>Action: 15.4 Seek and support legislation that will include funding for this project as a line item or provide funding for riparian habitat restoration and river parkways.</p>
	<p>Issue: 15.5. The City of Modesto desires to maintain and improve the quality of life of its residents by providing parks and recreation facilities.</p>
	<p>Action: 15.5 Support legislation that provides funding for park acquisition, planning, development, and maintenance.</p>
	<p>Issue: 15.6 The Regional Sports Facility Study for Stanislaus County, completed in 2002, indicates a significant shortage of soccer fields in the region, and especially in the City of Modesto.</p>
	<p>Action: 15.6 Seek and support legislation to provide funding for Community and Regional Park development that includes soccer fields; and that will fund the upgrade, rehabilitation, management and maintenance of the active sports fields and complexes in the City of Modesto and Stanislaus County region.</p>
	<p>Issue: 15.7 The City of Modesto desires to construct and improve its parks and trails system utilizing funds from Proposition 84, 1a-e and other State and federal funds.</p>
	<p>Action: 15.7 Seek and support funding programs contained in Proposition 84, 1a-e and all applicable state and federal grant funding sources.</p>