



Agenda

LEGISLATION COMMITTEE

November 8, 2012
2:00 p.m. to 3:00 p.m.
651 Pine Street, Room 101, Martinez

Supervisor Mary N. Piepho, District III, Chair
Supervisor Karen Mitchoff, District IV, Vice Chair

Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

1. **Introductions**
2. **Public comment** on any item under the jurisdiction of the Committee and not on this agenda. *(Speakers may be limited to three minutes.)*
3. **Record of Action for September 12, 2012 Meeting**
4. **2012 State Legislation Wrap-up** – *Presenter: Lara DeLaney, Cathy Christian*
5. **Draft 2013 State Legislative Platform** – *Presenter: Lara DeLaney, Cathy Christian*
6. **Update on School Siting Reform Effort** – *Presenter: John Cunningham*
7. **Adjourn** to the next regular meeting scheduled for Monday, December 3, 2012 at 2:00 p.m. in Room 108

☺ The Legislation Committee will provide reasonable accommodations for persons with disabilities planning to attend Legislation Committee meetings. Contact the staff person listed below at least 72 hours before the meeting.

📁 Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Legislation Committee less than 96 hours prior to that meeting are available for public inspection at 651 Pine Street, 10th floor, during normal business hours.

✉ Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact:

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Lara.DeLaney@cao.cccounty.us

Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order):

Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in its Board of Supervisors meetings and written materials. Following is a list of commonly used language that may appear in oral presentations and written materials associated with Board meetings:

AB	Assembly Bill	HIPAA	Health Insurance Portability and Accountability Act
ABAG	Association of Bay Area Governments	HIV	Human Immunodeficiency Syndrome
ACA	Assembly Constitutional Amendment	HOV	High Occupancy Vehicle
ADA	Americans with Disabilities Act of 1990	HR	Human Resources
AFSCME	American Federation of State County and Municipal Employees	HUD	United States Department of Housing and Urban Development
AICP	American Institute of Certified Planners	Inc.	Incorporated
AIDS	Acquired Immunodeficiency Syndrome	IOC	Internal Operations Committee
ALUC	Airport Land Use Commission	ISO	Industrial Safety Ordinance
AOD	Alcohol and Other Drugs	JPA	Joint (exercise of) Powers Authority or Agreement
ARRA	American Recovery and Reinvestment Act	Lamorinda	Lafayette-Moraga-Orinda Area
BAAQMD	Bay Area Air Quality Management District	LAFCo	Local Agency Formation Commission
BART	Bay Area Rapid Transit District	LLC	Limited Liability Company
BCDC	Bay Conservation & Development Commission	LLP	Limited Liability Partnership
BGO	Better Government Ordinance	Local 1	Public Employees Union Local 1
BOS	Board of Supervisors	LVN	Licensed Vocational Nurse
CALTRANS	California Department of Transportation	MAC	Municipal Advisory Council
CalWIN	California Works Information Network	MBE	Minority Business Enterprise
CalWORKS	California Work Opportunity and Responsibility to Kids	M.D.	Medical Doctor
CAER	Community Awareness Emergency Response	M.F.T.	Marriage and Family Therapist
CAO	County Administrative Officer or Office	MIS	Management Information System
CCHP	Contra Costa Health Plan	MOE	Maintenance of Effort
CCTA	Contra Costa Transportation Authority	MOU	Memorandum of Understanding
CDBG	Community Development Block Grant	MTC	Metropolitan Transportation Commission
CEQA	California Environmental Quality Act	NACo	National Association of Counties
CIO	Chief Information Officer	OB-GYN	Obstetrics and Gynecology
COLA	Cost of living adjustment	O.D.	Doctor of Optometry
ConFire	Contra Costa Consolidated Fire District	OES-EOC	Office of Emergency Services-Emergency Operations Center
CPA	Certified Public Accountant	OSHA	Occupational Safety and Health Administration
CPI	Consumer Price Index	Psy.D.	Doctor of Psychology
CSA	County Service Area	RDA	Redevelopment Agency
CSAC	California State Association of Counties	RFI	Request For Information
CTC	California Transportation Commission	RFP	Request For Proposal
dba	doing business as	RFQ	Request For Qualifications
EBMUD	East Bay Municipal Utility District	RN	Registered Nurse
EIR	Environmental Impact Report	SB	Senate Bill
EIS	Environmental Impact Statement	SBE	Small Business Enterprise
EMCC	Emergency Medical Care Committee	SWAT	Southwest Area Transportation Committee
EMS	Emergency Medical Services	TRANSPAC	Transportation Partnership & Cooperation (Central)
EPSDT	State Early Periodic Screening, Diagnosis and treatment Program (Mental Health)	TRANSPLAN	Transportation Planning Committee (East County)
et al.	et ali (and others)	TRE or TTE	Trustee
FAA	Federal Aviation Administration	TWIC	Transportation, Water and Infrastructure Committee
FEMA	Federal Emergency Management Agency	UCC	Urban Counties Caucus
F&HS	Family and Human Services Committee	VA	Department of Veterans Affairs
First 5	First Five Children and Families Commission (Proposition 10)	vs.	versus (against)
FTE	Full Time Equivalent	WAN	Wide Area Network
FY	Fiscal Year	WBE	Women Business Enterprise
GHAD	Geologic Hazard Abatement District	WCCTAC	West Contra Costa Transportation Advisory Committee
GIS	Geographic Information System		
HCD	(State Dept of) Housing & Community Development		
HHS	Department of Health and Human Services		

Schedule of Upcoming BOS Meetings

Dec. 4, 2012

Dec. 11, 2012

Legislation Committee
Supervisor Mary N. Piepho, Chair
Supervisor Karen Mitchoff, Vice Chair

Record of Actions

September 12, 2012
Room 101, 651 Pine Street, Martinez

1. Introductions

The meeting was called to order by Chair Piepho. Vice Chair Mitchoff was also present. Staff and the public introduced themselves. Cathy Christian, state advocate, was conferenced in by phone.

2. Public Comment: None.

3. Record of Action: The Committee approved the Record of the August 8, 2012 meeting.

4. State Legislation of Interest:

The Committee directed staff to send letters to the Governor to oppose AB 2031 (Fuentes) and AB 2451 (Perez). Committee directed staff to send letters to the Governor to support SB 214 (Wolk), AB 2144 (Perez), and SB 1156 (Steinberg), the bills related to infrastructure financing districts and redevelopment reform. The Committee directed staff to send letters to the Governor supporting AB 1640 (Mitchell), AB 540 (Beall), and AB 1712 (Beall). The Committee encouraged staff to send a letter to the Governor expressing concerns with the bill related to Worker's Compensation reform.

The Committee briefly discussed the matter of CEQA reform, which was sure to be resurrected, and directed staff to inquire with CSAC as to their involvement in the matter.

5. Federal Legislative Issues:

The Committee received the report from staff.

6. Adjourned: Committee noted that the scheduled October meeting may be cancelled or rescheduled. It would tentatively be scheduled for October 11 at 10:00. (Subsequently cancelled.)

**OFFICE OF THE COUNTY ADMINISTRATOR
CONTRA COSTA COUNTY**

TO: Legislation Committee
 Supervisor Mary N. Piepho, Chair
 Supervisor Karen Mitchoff, Vice Chair

FROM: Lara DeLaney, Legislative Coordinator

DATE: November 2, 2012

SUBJECT: **Agenda Item #4: 2012 State Legislation Wrap-up**

RECOMMENDATION

ACCEPT the report on State legislation of interest and provide direction, as necessary.

REPORT

On Sept. 30 Gov. Jerry Brown completed action on bills for the 2011-12 legislative session. In his prior terms, Governor Brown set records for the fewest numbers of vetoes, nixing only 30 bills in 1982 and 35 in 1981. These days he is much closer to the modern-era average of 13%, vetoing 12% of the bills he considered this year.

With the 876 bills that Governor Brown signed this year, he passes Gov. Deukmejian as the governor to have signed most bills of any governor since 1967, with a grand total of 12,744. He has the advantage of being in his third term.

Those 876 signed bills also makes 2012 the year with the sixth-lowest number of chaptered bills since 1967, all of the other five also being within the last decade.

Of significance, the Governor vetoed County-opposed AB 2451 (Pérez), which proposed to provide enhanced death benefits to firefighters and police. He also vetoed all of the infrastructure related bills, including SB 214 (Wolk), AB 2144 (Pérez), and SB 1156 (Steinberg), with veto messages that indicated he wanted to see the dissolution of redevelopment completed before considering expanded authority.

LEGISLATIVE ADVOCACY

Throughout the entire legislative session, County staff and our state advocates, Nielsen Merksamer, were actively engaged in representing the County's legislative positions and participated extensively in the budget process to ensure an appropriate response to statewide issues affecting county government.

In addition to reviewing all of the measures the lawmakers introduced, we actively monitored 53 bills to ensure they were not amended to negatively impact the County. We also followed 57

bills pertaining to the Delta and water. We remain extremely active in responding to bills affecting the Delta in conjunction with the Delta Counties Coalition.

2011 CARRY-OVER LEGISLATION

Ten measures from the 2011 legislative session on which the Contra Costa County Board of Supervisors took positions were carried over to the 2012 session. Of the four signed by the Governor, the County supported three and opposed one. Two were vetoed by the Governor; one the County supported and one it opposed. Four measures the County supported failed to reach the Governor.

Signed by Governor

AB 296 (Skinner-D) Department of Transportation – Paving Materials (Support)

This measure requires the State Environmental Protection Agency to develop a definition for the term Urban Heat Island Effect (UHIE), and upon completion of an UHIE index, to develop a standard specification for sustainable or cool pavements. The bill also requires the State Building Standards Commission to consider incorporating a standard specification for sustainable cool pavement that this bill would require the Department of Transportation to develop in the Cool Pavements Handbook as additional strategies for heat island effect.

AB 792 (Bonilla-D) Health Care Coverage – Health Benefit Exchange (Support)

This measure requires a court, upon the filing of a petition for dissolution of marriage, nullity of marriage, or legal separation to provide a specified notice informing the petitioner and respondent they may be eligible for coverage through the Health Care Exchange or Medi-Cal. The bill also requires health care service plans and insurers to provide the same notice to individuals who have ceased to be enrolled in individual or group coverage and requires the same notification to an adoption petitioner.

AB 845 (Ma-D) Solid Waste – Place of Origin (Oppose)

This measure prohibits an ordinance enacted by a city or county from otherwise restricting or limiting the importation of solid waste into a privately owned solid waste facility in that city or county based on place of origin. The bill provides this prohibition does not require such facility to accept certain waste or to abrogate certain agreements, and does not prohibit a city, county or regional agency from requiring the facility to guarantee permitted capacity to a host jurisdiction, or supersede or affect land use authority.

AB 890 (Olsen-R) Environment – CEQA Exemption – Roadway Improvement (Support)

This measure exempts from provisions of the California Environmental Quality Act concerning environmental impact reports, a project or activity to repair, maintain, or make minor alterations to an existing roadway if the project or activity is carried by a city or county to improve public safety meeting specified requirements. The bill requires a local agency that approves and determines to carry out the project to file a specified notice with the Office of Planning and Research and with the county clerk of the project county.

Vetoed by Governor

SB 214 (Wolk-D) Infrastructure Financing Districts – Repeal Approval (Support)

This measure would have recast the provisions governing infrastructure financing districts. The

bill would have eliminated the requirement of voter approval for creation of the district and bond issuance and authorized the legislative body to create the district. In addition, the bill would have authorized a newly created public financing authority to adopt the infrastructure financing plan and issue bonds by resolution and authorized adoption of joint powers agreements with affected taxing entities.

SB 744 (Wyland-R) Water Submeters – Testing (Oppose)

This measure would have provided that any water submeter tested by equipment that is calibrated by tests traceable to specified standards shall be deemed to be sealed and approved for commercial use, if the submeter satisfies certain criteria. The bill would also have provided that no submeter shall be considered to have been put into service prior to its installation if the submeter is to be used in a multiunit residential structure. The bill would have required notification to the county sealer that a meter is placed in service and authorized testing by the county sealer.

Failed Passage

AB 931 (Dickinson-D) Environment – CEQA Exemption (Support)

The bill attempted to amend CEQA by exempting infill housing projects from meeting a community level environmental review. The scope of the bill exempted residential units, including projects that may be used for neighborhood-serving goods, services, or retail uses to a level that does not exceed a specified percentage of the building square footage and instead authorized the use of a sustainable communities environmental assessment or modified environmental impact report for a transit proximity or employment priority project.

AB 1095 (Buchanan-D) Sacramento-San Joaquin Delta Reform Act – Actions (Support As Amended)

This measure would have revised the definition of covered actions under the Sacramento-San Joaquin Delta Reform Act of 2009 and the Johnston-Baker-Andal-Boatwright Delta Protection Act of 1992 to exclude a project or portion thereof with the Delta's secondary zone that complies with a local general plan, and revised such definition under the State Environmental Quality Act regarding any existing drinking water, stormwater, or wastewater, treatment, and a flood control project within the Delta's secondary zone.

SB 301 (DeSaulnier-D) Managed Care Plan Tax – Healthy Families Program (Support As Amended)

This bill proposed to extend the tax on the total operating revenue of Medi-Cal managed care plans under the Medi-Cal program. The bill would also have extended the signature requirements for returns that report such tax and repealed the provisions of existing law that requires the transfer of Healthy Families Program enrollees into the Medi-Cal program.

SB 703 (Hernandez, E. – D) Health Care Coverage – Basic Health Program (Support)

This bill would have established a Basic Health Program to be administered by the State Department of Health Care Services and required entering into a contract with the federal government to implement the program. The bill specified the duties relative to the eligibility, premiums, and the selection of health plans.

REVIEW OF 2012 LEGISLATION

The Contra Costa County Board of Supervisors sponsored one measure and took positions on 24 bills. The County supported 13 bills, supported one in concept, and supported one resolution. Of these measures, six were signed by the Governor, one was vetoed by the Governor, five failed passage. The measure which was supported in concept failed passage and the resolution was adopted. The County opposed seven bills, of which one was signed by the Governor, one was vetoed by the Governor, and five failed to pass the Legislature. The County also took a watch position on two bills, one was signed by the Governor and one failed passage. In addition, there was one bill the County monitored but determined to stay neutral as a result of actions taken in 2011.

Sponsored Legislation – Held on Senate Floor

SB 1494 (DeSaulnier-D) County Employees’ Retirement – Contra Costa County (Sponsor)

This bill would have authorized the Contra Costa County Board of Supervisors to negotiate with specified recognized employee organizations representing general members to subject general members to a specified age formula, known as Tier Four, and safety members who are hired on or after a specified date, to a specified age formula. Due to the passage of statewide pension reform legislation, this bill, which was approved by both the Senate and Assembly, was held on the Senate floor on concurrence.

Signed by Governor

AB 1436 (Feuer-D) Voter Registration (Oppose)

This bill establishes the conditional voter registration for registrants whose information cannot be verified and authorizes a unique identification number. The bill also increases the maximum fine for election-related crimes for which no fine is prescribed. Under this measure, county elections officials are required to offer election day conditional voter registration and provisional voting at their permanent offices and satellite offices. Duplicate registrations must be cancelled and voter fraud penalties are specified.

AB 1540 (Buchanan-D) Sacramento-San Joaquin Delta – Invasive Weeds (Support)

This bill designates the Department of Boating and Waterways as the lead agency in cooperating with other agencies in controlling South American spongeplant (*Limnobium laevigatum*) in the Sacramento-San Joaquin Delta, its tributaries, and the Suisun Marsh.

AB 1640 (Mitchell-D) CalWORKs Benefits – Pregnant Mothers (Support)

This measure amends existing law regarding the Temporary Assistance for Needy Families block grant and the state Work Opportunity and Responsibility programs. At any time the Cal-Learn Program is operative, regardless of whether eligibility for the program, CalWORKs aid must be paid to a pregnant mother who is 18 years of age or younger after verification of pregnancy. Aid is required to be paid in the month in which the birth is anticipated and the 3 months immediately prior to that month.

AB 1656 (Fong-D) San Francisco Bay Restoration Authority (Support)

For the purpose of appointing an elected official to the San Francisco Bay Restoration Authority, this bill revises the definition of the East Bay to provide that it consists of the whole Contra Costa County, as well as a specified portion of Alameda County. The bill also authorizes raising

funds and awarding grants to public and private entities for eligible projects, including projects, that, among other things, restore, protect, or enhance tidal wetlands, managed ponds, or natural habitat on the San Francisco Bay shoreline. The Delta Primary Zone is excluded from the bill.

AB 1712 (Beall-D) Minors and Nonminor Dependents – Out-of-Home Placement (Support As Amended)

This bill includes THP-Plus Foster Care within the definition of a community care facility and makes non-minor dependents eligible for the court-appointed special advocate program. And makes certain other changes to foster care funding, including providing for certain exemptions from liability for foster care payments.

AB 1916 (Buchanan-D) State Parks – Operating Agreements – Mount Diablo Park (Support)

This measure authorizes the Department of Parks and Recreation to enter into a restoration agreement with Save Mount Diablo, a nonprofit organization, for the purpose of restoring the beacon on top of the Summit Building in Mount Diablo State Park.

SB 1003 (Yee-D) Open Meetings – Cease and Desist Letters (Active Watch)

This measure amends the Ralph M. Brown Act regarding open meetings and prohibits a district attorney or an interested person from filing an action for an alleged violation of the Act for past actions of a legislative body, unless certain conditions are met. Those conditions include the submission of a cease and desist letter to the accused body and a refusal by the legislative body to issue an unconditional commitment to cease and desist after receiving the letter. The bill specifies the contents of the cease and desist commitment contents.

SB 1387 (Emmerson-R) Metal Theft (Support)

This bill prohibits any junk dealer or recycler from possessing a fire hydrant or fire department connection, including bronze or brass fittings or parts, a manhole cover or lid, or any part of that cover or lid, or a backflow device and connections to that device, that was owned by a public entity or private utility, without a written certification on the letterhead of the entity that owns or previously owned the material and that the entity has sold such material. The bill also provides for a criminal fine for violations.

Adopted Resolution

SJR 15 (DeSaulnier-D) Harbor Maintenance Tax – Trust Fund Surplus (Support)

This resolution urges the President and Congress to significantly increase federal funding from the Harbor Maintenance Trust Fund surplus for navigational improvements and continued operational and maintenance dredging in those federal channels that serve California's ports, and to recognize the role of the state's ports in contributing to the greatest share of the Harbor Maintenance Tax revenues.

Vetoed By Governor

AB 2451 (Perez, J. – D) Workers' Compensation – Firefighters (Oppose)

This bill would have extended the existing 240 week statute of limitations to 480 weeks for proceedings related to the collection of death benefits of firefighters and peace officers for cancer, tuberculosis, and blood-borne infectious diseases.

SB 1156 (Steinberg – D) Sustainable Communities Investment Authority (Support)

This bill would have authorized certain public bodies of a Sustainable Communities Investment Area to form an authority to carry out the Community Redevelopment Law. In order to participate, the bill would have required the authority to adopt Sustainable Communities Investment Plan for the area and to include in the plan a provision for the receipt of tax increment funds provided certain economic development and planning requirements are met. Existing prevailing wage requirements would have applied to the plan area projects.

Failed Passage

AB 1592 (Olsen-R) Veterans – Benefits – Fee Waiver (Support)

This bill would have authorized the governing board of a county or city to grant financial assistance, relief and support to disabled veterans by waiving service-related fees charged by the county or city.

AB 1691 (Lowenthal, B. – D) CalWORKs – Welfare-to-Work Activities (Support)

This bill would have included as a core welfare-to-work activity English as a second language education.

AB 1709 (Mitchell-D) Juveniles – Jury Trial (Oppose)

This bill would have required that a youth who is 16 years of age or older at the time of the commission of an offense that could be used as a future felony conviction under the Three Strikes law be entitled to a jury trial in the juvenile court.

AB 1813 (Buchanan-D) Sacramento-San Joaquin Delta Reform Act of 2009 (Support in Concept)

This bill would have required that a system of Sacramento-San Joaquin Delta watershed diversion data collection be established and would have required the Department of Water Resources to determine the Net Delta Outflow Index. The bill would have further required that the new flow criteria be used to ensure there is no degradation in water quality in Delta channels and to replicate certain conditions with regard to fish populations.

AB 1827 (Bonilla-D) Infrastructure Financing Districts (Support)

This bill would have authorized a military base reuse authority to form an infrastructure financing district for purposes of financing public facilities and issuing bonds.

AB 1831 (Dickinson-D) Local Government - Hiring Practices (Watch)

Prohibits a local agency from inquiring into or considering the criminal history of an applicant or including any inquiry about such history on any initial employment application. Authorizes an agency to inquire into or consider an applicant's criminal history after the applicant's qualifications have been screened it has been determined the applicant meets the employment requirements. Provides these provisions do not apply to a position requiring such history check or a criminal justice agency position.

AB 1884 (Buchanan-D) Sacramento-San Joaquin Delta Reform Act – Covered Action (Support)

This bill would have clarified the authority of the Delta Stewardship Council by excluding from the definition of “covered action” specified plans, programs, projects, or activities within the secondary zone that have received environmental certification under the California

Environmental Quality Act or otherwise have invested rights as of the effective date of the Sacramento-San Joaquin Delta plan, or both

AB 1901 (Jones-R) Counties – Construction Projects – Design-Build (Support)

This measure would have authorized counties to use alternative procedures known as design-build for bidding on construction projects in the county by revising the dollar limitation on this authorization so that it applies to projects in excess of \$1 million instead of the existing limitation to projects in excess of \$2.5 million.

AB 2002 (Cedillo-D) Medi-Cal- Managed Care – Safety Net Provider (Oppose)

For purposes of assigning an eligible Medi-Cal beneficiary to a managed care plan when the beneficiary fails to select a plan, this bill would have provided that the term safety net provider included additional clinics and medical care providers.

AB 2096 (Perez, V.-D) Public Health Care – Medi-Cal – District Hospitals (Oppose)

This bill would have distributed additional funds from the Safety Net Care Pool (SNCP) to non-designated public hospitals in an amount proportionate to the uncompensated care provided, thereby shifting funds from public hospitals such as the Contra Costa Regional Medical Center and Health Centers, that serve extraordinarily large numbers of low-income and uninsured patients.

AB 2304 (Garrick-R) Pets – Cosmetic Teeth Cleaning (Oppose)

The bill would have excluded the use of non-motorized instruments for cosmetic purposes to remove calculus, soft deposits, plaque, or stains from a household pet's teeth from the definition of a veterinary dental operation if the person performing the service first obtains written permission.

SB 1363 (Yee-D) Juveniles – Solitary Confinement (Oppose)

This bill would have provided that a minor or ward who is detained in, or sentenced to, any juvenile facility, or other secure state or local facility, shall not be subject to solitary confinement unless the minor or ward poses an immediate and substantial risk or harm to others or to the security of the facility and all other less-restrictive options have been exhausted.

Neutral/Failed Passage

AB 904 (Skinner-D) Local Government – Parking – Requirements (Neutral)

Prohibits a city or county from requiring a minimum number of off-street parking spaces in transit-intensive areas.

The County remained neutral on AB 904 as its concern was resolved in AB 710 (Skinner-D) in 2011. The County took an oppose unless amended position when Assemblymember Skinner first introduced AB 710, which dealt with parking standards around Transit-Oriented Developments (TODs). We worked with Assemblymember Skinner to address the County's concerns that applying a uniform parking cap on all areas specified in the legislation did not address unique characteristics and diverse needs of TODs. The bill was amended to allow cities and counties to require higher minimum parking standards if a parking utilization study had been completed with the last 24 months, as specified. With these new conditions for parking requirements in transit intensive areas, the County moved to a neutral position. When AB 710

failed to move in 2011, Assembly Member Skinner amended the same language into AB 904, but the bill was never approved by Senate Governance and Finance Committee.

Attachment A: *Legislation Tracking Report*

**Contra Costa County
Legislation Tracking Report
For Legislation Committee**

CA AB 298	<p>AUTHOR: Brownley [D] TITLE: Solid Waste: Single-Use Carryout Bags FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/09/2011 LAST AMEND: 08/06/2012 DISPOSITION: Failed - Adjourned LOCATION: Senate Appropriations Committee SUMMARY: Prohibits specified stores from providing a single-use carryout bag to a customer, to meet requirements regarding providing recyclable paper bags, compostable bags, and reusable bags, and provide a plastic bag collection bin. Requires a reusable bag producer to submit a biennial certification that each type of reusable grocery bag meets specified requirements, and a certification fee. Requires the fees be placed in a specified account. Provides administrative civil penalties for certification violations. STATUS: 08/16/2012 In SENATE Committee on APPROPRIATIONS: Held in committee. NOTES: Cece Sellgren in PW watching the bill. Sending letter of support. Bill died; letter not sent.</p>
CA AB 540	<p>AUTHOR: Beall [D] TITLE: Medi-Cal: Alcohol and Drug Screening FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/16/2011 VETOED: 09/29/2012 DISPOSITION: Vetoed LOCATION: Vetoed SUMMARY: Establishes the Medi-Cal Alcohol and Drug Screening and Brief Intervention Services Program, under which the Department of Health Care Services would be required to provide reimbursement under the Medi-Cal program for alcohol and drug screening and brief intervention services provided to Medi-Cal beneficiaries who are pregnant women or women of childbearing age. Requires a public entity that elects to participate to reimburse the state for program costs. Requires seeking federal approval for the program. STATUS: 09/29/2012 Vetoed by GOVERNOR. NOTES: Sending letter of support to Governor on 09.19.12</p>
CA AB 658	<p>AUTHOR: Calderon C [D] TITLE: State Board of Equalization: Administration FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/16/2011</p>

LAST AMEND: 08/20/2012
DISPOSITION: Failed - Adjourned
LOCATION: Senate Governance and Finance Committee
SUMMARY:

Relates to the factors that determine if a sale or purchase of property is subject to the sales tax or use tax. Extends the repeal date of existing law authorizing the State Board of Equalization to accept an offer of final tax compromise under the Cigarette and Tobacco Products Tax, the Underground Storage Tank Maintenance Fee, and Fee collection laws and creates a felony for certain fraudulent actions in regards to these laws.

STATUS:

08/22/2012 In SENATE Committee on GOVERNANCE AND FINANCE:
 Held in committee.

NOTES: Sending letter of Support per Lisa Driscoll 08.21.12

CA AB 845

AUTHOR: Ma [D]
TITLE: Solid Waste: Place of Origin
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/17/2011
ENACTED: 09/25/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 526
SUMMARY:

Prohibits an ordinance enacted by a city or county from otherwise restricting or limiting the importation of solid waste into a privately owned solid waste facility in that city or county based on place of origin. Provides this prohibition does not require such facility to accept certain waste or to abrogate certain agreements, does not prohibit a city, county or regional agency from requiring the facility to guarantee permitted capacity to a host jurisdiction, or supersede or affect land use authority.

STATUS:

09/25/2012 Signed by GOVERNOR.

09/25/2012 Chaptered by Secretary of State. Chapter No. 526

NOTES: BOS Veto request to Gov on 09.11.12

CA AB 890

AUTHOR: Olsen [R]
TITLE: Environment: CEQA Exemption: Roadway Improvement
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/17/2011
ENACTED: 09/25/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 528
SUMMARY:

Exempts from provisions of the California Environmental Quality Act concerning environmental impact reports, a project or activity to repair, maintain, or make

minor alterations to an existing roadway if the project or activity is carried by a city or county to improve public safety meeting specified requirements. Requires a local agency that approves and determines to carry out the project, to file a specified notice with the Office of Planning and Research and with the county clerk of the project county.

STATUS:

09/25/2012 Signed by GOVERNOR.
 09/25/2012 Chaptered by Secretary of State. Chapter No. 528
NOTES: To BOS for support on 4/24

CA AB 1436

AUTHOR: Feuer [D]
TITLE: Voter Registration
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 01/04/2012
ENACTED: 09/24/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 497
SUMMARY:

Establishes the conditional voter registration for registrants whose information cannot be verified. Authorizes a unique identification number. Increases the maximum fine for election-related crimes for which no fine is prescribed. Requires the county elections official to offer election day conditional voter registration and provisional voting at its permanent offices and to offer same at satellite offices. Requires cancellation of any duplicate registrations that may arise. Provides voter fraud penalties.

STATUS:

09/24/2012 Signed by GOVERNOR.
 09/24/2012 Chaptered by Secretary of State. Chapter No. 497
NOTES: Sent to Elections for review

CA AB 1442

AUTHOR: Wieckowski [D]
TITLE: Pharmaceutical Waste
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 01/04/2012
ENACTED: 09/28/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 689
SUMMARY:

Defines pharmaceutical waste for purposes of the Medical Waste Management Act. Exempts a pharmaceutical waste generator or parent organization that employs health care professionals who generate pharmaceutical from specified medical waste hauling requirements if the generator meets specified requirements. Authorizes such waste to be transported by specified entities to include the generator, health care professional, or a common carrier.

STATUS:

09/28/2012 Signed by GOVERNOR.

09/28/2012 Chaptered by Secretary of State. Chapter No. 689

CA AB 1506 **AUTHOR:** Jeffries [R]
TITLE: State Responsibility Areas: Fire Prevention Fees
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/12/2012
LAST AMEND: 03/08/2012
DISPOSITION: Failed - Adjourned
LOCATION: Assembly Appropriations Committee
SUMMARY:
Repeals an existing provision relating to specified fire prevention fees on each structure on a parcel that is within a state responsibility area.
STATUS:
05/25/2012 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
NOTES: Opposed by BOS on 08.21.12

CA AB 1540 **AUTHOR:** Buchanan [D]
TITLE: Sacramento-San Joaquin Delta: Invasive Weeds
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/24/2012
ENACTED: 08/27/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 188
SUMMARY:
Designates the Department of Boating and Waterways as the lead agency in cooperating with other agencies in controlling South American spongeplant (*Limnobium laevigatum*) in the Sacramento-San Joaquin Delta, its tributaries, and the the Suisun Marsh.
STATUS:
08/27/2012 Signed by GOVERNOR.
08/27/2012 Chaptered by Secretary of State. Chapter No. 188
NOTES: Consistent with Platform. Sending letter of support 03.02.12

CA AB 1577 **AUTHOR:** Atkins [D]
TITLE: Parolee: Driver's Licenses
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/02/2012
DISPOSITION: Failed
LOCATION: ASSEMBLY
SUMMARY:
Requires the Department of Motor Vehicles, the Department of Corrections and Rehabilitation and county jails to adopt rules and enter into interagency agreements necessary to establish the identities of offenders for the purposes of assisting offenders in obtaining a driver's license or identification card immediately upon the offender's release.

STATUS:
04/10/2012 From ASSEMBLY Committee on PUBLIC SAFETY without further action pursuant to JR 62(a).
NOTES: Sent to Realignment Stakeholders for review

CA AB 1580 **AUTHOR:** Bonilla [D]
TITLE: Health Care: Eligibility: Enrollment
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/02/2012
ENACTED: 09/30/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 856
SUMMARY:
Makes technical changes to provisions concerning the Medi-Cal program, the Healthy Families Program, the California Health Benefit Exchange, state health subsidy programs, and Medi-Cal eligibility determinations and requires the establishment of standardized single, accessible application forms and related renewal procedures for the state health subsidy programs.
STATUS:
09/30/2012 Chaptered by Secretary of State. Chapter No. 856
NOTES: watch

CA AB 1585 **AUTHOR:** Perez J [D]
TITLE: Community Development
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/02/2012
ENACTED: 09/29/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 777
SUMMARY:
Makes conforming changes to clarify that specified provisions of the Community Redevelopment Law relating to the Low and Moderate Income Housing Fund apply for purposes of funding administrative and planning costs associated with the implementation of law that authorizes the city, county, or city and county that authorized the creation of a redevelopment agency to retain the housing assets, functions, and powers previously performed by the redevelopment agency, excluding amounts on deposit in the fund.
STATUS:
09/29/2012 Chaptered by Secretary of State. Chapter No. 777
NOTES: BOS approves Support and Amend on 05.08.12

CA AB 1592 **AUTHOR:** Olsen [R]
TITLE: Veterans: Benefits: Fee Waiver
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/06/2012
LAST AMEND: 03/26/2012

DISPOSITION: Failed - Adjourned
LOCATION: Senate Rules Committee
SUMMARY:

Authorizes the governing board of a county or city to grant financial assistance, relief and support to disabled veterans by waiving service-related fees charged by the county or city.

STATUS:
05/03/2012 To SENATE Committee on RULES.
NOTES: Sent to VS

CA AB 1640

AUTHOR: Mitchell [D]
TITLE: CalWORKs Benefits: Pregnant Mothers
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/13/2012
ENACTED: 09/29/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 778
SUMMARY:

Amends existing law regarding the Temporary Assistance for Needy Families block grant and the state Work Opportunity and Responsibility programs. Requires CalWORKs aid to be paid to a pregnant mother who is 18 years of age or younger at any time after verification of pregnancy, when the Cal-Learn Program is operative, regardless of whether she is eligible for the Cal-Learn Program. Requires the aid to be paid in the month in which the birth is anticipated and the 3 months immediately prior to that month.

STATUS:
09/29/2012 Chaptered by Secretary of State. Chapter No. 778
NOTES: To BOS for support on 4/24

CA AB 1644

AUTHOR: Carter [D]
TITLE: Military Base Reuse and Preservation Act of 2012
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/13/2012
LAST AMEND: 03/29/2012
DISPOSITION: Failed - Adjourned
LOCATION: Assembly Local Government Committee
SUMMARY:

Enacts the State Military Base Reuse and Preservation Act of 2012. Makes findings and declarations relating to the granting of redevelopment powers to communities affected by federal military base closures. Requires a reuse plan to contain several elements relating to the economic, environmental, and low- and moderate-income housing impacts of the military base closure. Authorizes the reuse authority to acquire and dispose of real property and other assets adjacent to, or near, the former base.

STATUS:
03/29/2012 To ASSEMBLY Committee on LOCAL GOVERNMENT.
03/29/2012 From ASSEMBLY Committee on LOCAL GOVERNMENT with

	03/29/2012	author's amendments. In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT. NOTES: Watch
CA AB 1691	AUTHOR:	Lowenthal B [D]
	TITLE:	CalWORKs: Welfare-to-Work Activities
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/15/2012
	DISPOSITION:	Failed - Adjourned
	LOCATION:	Senate Appropriations Committee
	SUMMARY:	Includes as a core welfare-to-work activity English as a second language education. STATUS:
	08/16/2012	In SENATE Committee on APPROPRIATIONS: Held in committee. NOTES: To BOS for support on 4/24
CA AB 1709	AUTHOR:	Mitchell [D]
	TITLE:	Juveniles: Jury Trial
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/15/2012
	LAST AMEND:	03/14/2012
	DISPOSITION:	Failed - Adjourned
	LOCATION:	Assembly Appropriations Committee
	SUMMARY:	Requires that a youth who is 16 years of age or older at the time of the commission of an offense that could be used as a future felony conviction under the Three Strikes law be entitled to a jury trial in the juvenile court. Requires the trial to proceed in the same manner as criminal court. Provides that the right to a jury trial does not affect the right of a detained minor to adjudication of the petition to declare him or her a ward of the court within 15 days of the filing of the petition. STATUS:
	05/25/2012	In ASSEMBLY Committee on APPROPRIATIONS: Held in committee. NOTES: BOS to OPPOSE 04.24.12
CA AB 1712	AUTHOR:	Beall [D]
	TITLE:	Minors and Nonminor Dependents: Out-of-Home Placement
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/16/2012
	ENACTED:	09/30/2012
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	846
	SUMMARY:	

Relates to expanded foster care payments. Includes THP-Plus Foster Care within the definition of a community care facility. Makes nonminor dependents eligible for the court-appointed special advocate program. Relates to CalWORKs aid payments and foster care. Revises the definition of mutual agreement, by specifying the criteria of these agreements applicable to nonminor dependents who are in receipt of Kin-GAP and AFDC-FC payments. Provides for certain exemptions from liability for foster care payments.

STATUS:

09/30/2012 Chaptered by Secretary of State. Chapter No. 846
NOTES: CWDA sponsored bill. Sending letter of support to Gov on 09.19.12

CA AB 1779

AUTHOR: Galgiani [D]
TITLE: Intercity Rail Agreements
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2012
ENACTED: 09/29/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 801
SUMMARY:

Relates to the Department of Transportation contract with Amtrak for intercity rail passenger services. Authorizes an additional agreement with respect to the San Joaquin Corridor under certain conditions. Provides for the creation of the San Joaquin Corridor Joint Powers Authority. Provides for state funding. Authorizes the adoption of new performance standards for intercity rail services.

STATUS:

09/29/2012 Chaptered by Secretary of State. Chapter No. 801
NOTES: Board supported on 07.24.12

CA AB 1783

AUTHOR: Perea [D]
TITLE: Public Contracts: Small Business Preferences
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2012
ENACTED: 07/13/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 114
SUMMARY:

Revises the small business public contracting certification procedure to provide that the Department of General Services has the sole responsibility for certifying and determining eligibility of small businesses. Provides local agencies have access to the department's list of certified small businesses. Includes a certified small business, certified at the state level, as a small business for local preference and goal purposes. Authorizes a local agency to set additional guidelines for local preferences.

STATUS:

07/13/2012 Signed by GOVERNOR.
 07/13/2012 Chaptered by Secretary of State. Chapter No. 114

NOTES: Sent to HR, Purchasing, CC for review

CA AB 1801 **AUTHOR:** Campos [D]
TITLE: Land Use: Fees
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/21/2012
ENACTED: 09/25/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 538
SUMMARY:
Amends existing law relating to fees for land use and building permits. Prohibits a city, county, or city and county from basing the calculation of the fee charged for solar energy system on the valuation of the system, or any other factor not directly associated with the cost to issue the permit, or the calculation of the fee on the valuation of the property or the improvement, materials, or labor costs. Requires the local entities to identify each fee assessed on the applicant on the applicant invoice.
STATUS:
09/25/2012 Signed by GOVERNOR.
09/25/2012 Chaptered by Secretary of State. Chapter No. 538
NOTES: Watch

CA AB 1808 **AUTHOR:** Williams [D]
TITLE: Meyers-Milias-Brown Act: Public Employees
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2012
DISPOSITION: Failed - Adjourned
LOCATION: Assembly Public Employees, Retirement and Social Security Committee
SUMMARY:
Amends the Meyers-Milias-Brown Act establishing procedures governing the resolution of disputes regarding wages, hours, and other terms and conditions of employment between public employers and public employer organizations. Expands the definition of public employee to include any person employed by an employer that is not a public agency, but with which a public agency shares or codetermines decisions governing essential employment conditions of that person.
STATUS:
03/01/2012 To ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.
NOTES: Sent to HR for review

CA AB 1827 **AUTHOR:** Bonilla [D]
TITLE: Infrastructure Financing Districts
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/22/2012
LAST AMEND: 04/16/2012

DISPOSITION: Failed - Adjourned
LOCATION: Senate Governance and Finance Committee
SUMMARY:
 Relates to infrastructure financing districts. Authorizes a military base reuse authority to form an infrastructure financing district for purposes of financing public facilities and issuing bonds. Authorizes such districts to finance homeless accommodation.
STATUS:
 05/17/2012 To SENATE Committees on GOVERNANCE AND FINANCE and TRANSPORTATION AND HOUSING.
NOTES: To BOS for support on 4/24

CA AB 1828 **AUTHOR:** Bonilla [D]
TITLE: Land Use: Concord Naval Weapons Revise Authority
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/22/2012
DISPOSITION: Failed - Adjourned
LOCATION: Assembly Local Government Committee
SUMMARY:
 Authorizes Contra Costa County and the City of Concord to establish the Concord Naval Weapons Station Reuse Authority to plan for, finance, and manage the transition of the property formerly known as the Concord Naval Weapons Station from military to civilian use.
STATUS:
 03/05/2012 To ASSEMBLY Committee on LOCAL GOVERNMENT.

CA AB 1831 **AUTHOR:** Dickinson [D]
TITLE: Local Government: Hiring Practices
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/22/2012
LAST AMEND: 06/11/2012
DISPOSITION: Failed - Adjourned
LOCATION: Senate Governance and Finance Committee
SUMMARY:
 Prohibits a local agency from inquiring into or considering the criminal history of an applicant or including any inquiry about such history on any initial employment application. Authorizes an agency to inquire into or consider an applicant's criminal history after the applicant's qualifications have been screened it has been determined the applicant meets the employment requirements. Provides these provisions do not apply to a position requiring such history check or a criminal justice agency position.
STATUS:
 06/28/2012 In SENATE Committee on GOVERNANCE AND FINANCE:
 Heard, remains in Committee.
NOTES: BOS adopted Watch on 04.17.12

CA AB 1852 **AUTHOR:** Campos [D]
TITLE: Vital Records: Fees: Domestic Violence

FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/22/2012
VETOED: 09/30/2012
DISPOSITION: Vetoed
LOCATION: Vetoed
SUMMARY:

Authorizes a county board of supervisors and certain city councils, upon making findings and declarations regarding domestic violence and child abuse, to authorize an increase in the fees for certified copies of certain vital records. Requires the fees to be allocated by the county or city for purposes relating to the prevention and intervention of domestic violence and child abuse. Requires the fee increase proceeds to be deposited into the county's or the state's children's trust fund.

STATUS:

09/30/2012 Vetoed by GOVERNOR.
NOTES: Devorah is reviewing

CA AB 1880

AUTHOR: Lara [D]
TITLE: Pupil Safety: Teen Dating Abuse Prevention
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2012
LAST AMEND: 04/10/2012
DISPOSITION: Failed - Adjourned
LOCATION: Assembly Appropriations Committee
SUMMARY:

Defines Teen dating abuse and a dating partner for purposes of the Interagency School Safety Demonstration Act. Requires a comprehensive school safety plan to include the development of procedures and policies to prevent and respond to teen dating abuse in middle and high schools. Requires a school site council to consult with specified entities in developing the procedures and policies. Requires contracting with trainers to provide training in teen dating abuse prevention.

STATUS:

05/25/2012 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
NOTES: To BOS for support. Devorah Levine.

CA AB 1885

AUTHOR: Bonilla [D]
TITLE: County Employees' Retirement: Reciprocal Benefits
INTRODUCED: 02/22/2012
VETOED: 09/29/2012
DISPOSITION: Vetoed
LOCATION: Vetoed
SUMMARY:

Relates to the County Employees Retirement Law of 1937 and reciprocity of retirement benefits. Makes one-year reemployment provision applicable in all counties.

STATUS:

09/29/2012 Vetoed by GOVERNOR.

CA AB 1901 **AUTHOR:** Jones [R]
TITLE: Counties: Construction Projects: Design-Build
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2012
LAST AMEND: 04/17/2012
DISPOSITION: Failed - Adjourned
LOCATION: Assembly Local Government Committee
SUMMARY:
Relates to existing law authorizing counties to use alternative procedures known as design-build for bidding on construction projects in the county. Revises the dollar limitation on this authorization so that it applies to projects in excess of a specified amount.
STATUS:
04/25/2012 In ASSEMBLY Committee on LOCAL GOVERNMENT: Failed passage.
04/25/2012 In ASSEMBLY Committee on LOCAL GOVERNMENT: Reconsideration granted.
NOTES: To BOS for support on 4/24

CA AB 1916 **AUTHOR:** Buchanan [D]
TITLE: State Parks: Operating Agreements: Mount Diablo Park
FISCAL COMMITTEE: no
URGENCY CLAUSE: yes
INTRODUCED: 02/22/2012
ENACTED: 07/17/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 141
SUMMARY:
Authorizes the Department of Parks and Recreation to enter into a restoration agreement with Save Mount Diablo, a nonprofit organization, for the purpose of restoring the beacon on top of the Summit Building in Mount Diablo State Park. Requires that the agreement comply with specified requirements.
STATUS:
07/17/2012 Signed by GOVERNOR.
07/17/2012 Chaptered by Secretary of State. Chapter No. 141
NOTES: Sent letter of support on 4.11.12 from Chair

CA AB 1965 **AUTHOR:** Pan [D]
TITLE: Land Use
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/23/2012
ENACTED: 09/25/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 554
SUMMARY:
Requires the Department of Water Resources to release floodplain maps and the available data as to the water surface elevation of flooding in urban areas.

Provides that the department's issuance of such maps are not subject to the review and approval of the Office of Administrative Law. Provides that the state or any state agency is not liable for any claim based upon the reasonable exercise or performance of a discretionary or ministerial function or duty pursuant to these provisions.

STATUS:

09/25/2012 Signed by GOVERNOR.
 09/25/2012 Chaptered by Secretary of State. Chapter No. 554
NOTES: This bill is a fix to SB 1278 (Wolk)

CA AB 2031

AUTHOR: Fuentes [D]
TITLE: Probation: Community Corrections Program
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/23/2012
VETOED: 09/30/2012
DISPOSITION: Vetoed
LOCATION: Vetoed
SUMMARY:

Adds a rank-and-file deputy sheriff, a rank-and-file probation officer or deputy probation officer, a rank-and-file social worker and a counselor employed by a county alcohol and substance abuse program to the membership of a Community Corrections Partnership. Adds a rank-and-file juvenile probation officer or deputy, a rank-and-file adult probation officer or deputy, a rank-and-file deputy sheriff, and a state parole officer or agent to the membership of the Board of State and Community Corrections.

STATUS:

09/30/2012 Vetoed by GOVERNOR.
NOTES: Sending a veto request to the Governor 09.17.12

CA AB 2039

AUTHOR: Swanson [D]
TITLE: Family and Medical Leave
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/23/2012
DISPOSITION: Failed - Adjourned
LOCATION: Senate Appropriations Committee
SUMMARY:

Increases the circumstances under which an employee is entitled to protected leave pursuant to the Family Rights Act. Eliminates the age and dependency elements from the definition of child. Permits an employee to take protected leave to care for an independent adult child suffering from a serious health condition. Expands the definition of parent to include an employee's parent-in-law. Permits leave to care for a seriously ill grandparent, sibling, grandchild, or domestic partner.

STATUS:

08/16/2012 In SENATE Committee on APPROPRIATIONS: Held in
 committee.
NOTES: Watch

CA AB 2096

AUTHOR: Perez V [D]

TITLE: Public Health Care: Medi-Cal: District Hospitals
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/23/2012
LAST AMEND: 04/18/2012
DISPOSITION: Failed - Adjourned
LOCATION: Assembly Health Committee
SUMMARY:

Requires the State Department of Health Care Services to request any additional federal funding identified in the recalculation of the successor demonstration project and make those funds available to district hospitals in an amount proportionate to the uncompensated care provided. Requires the department to encourage a local low-income health program contractors to permit district hospitals to utilize certified public expenditures or intergovernmental transfers to access federal funds for reimbursement.

STATUS:

04/18/2012 From ASSEMBLY Committee on HEALTH with author's amendments.

04/18/2012 In ASSEMBLY. Read second time and amended. Re-referred to Committee on HEALTH.

NOTES: Dr. Walker recommends Oppose. Consistent with Platform.

CA AB 2144

AUTHOR: Perez J [D]
TITLE: Infrastructure and Revitalization Financing Districts
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/23/2012
VETOED: 09/29/2012
DISPOSITION: Vetoed
LOCATION: Vetoed
SUMMARY:

Authorizes the creation of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes the financing of projects in redevelopment projects areas and former redevelopment project areas and former military bases. Authorizes a city legislative body to dedicate funds from the Redevelopment Property Tax Fund to the district. Expands the projects that such district may fund. Imposes specified reporting requirements on districts.

STATUS:

09/29/2012 Vetoed by GOVERNOR.

NOTES: Support letter to Governor 09.18.12

CA AB 2210

AUTHOR: Smyth [R]
TITLE: County Assessors: Notification
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/23/2012
LAST AMEND: 05/21/2012
DISPOSITION: Failed - Adjourned
LOCATION: Senate Governance and Finance Committee
SUMMARY:

Requires a county assessor, upon the request by the board of supervisors to

furnish an estimate of the assessed valuation of property within the county for the succeeding fiscal year, to estimate whether property valuations have decreased by 3% or more and, if so, to issue a written report. Requires the assessor to notify the board and the Department of Finance and all cities and affected school districts within the county.

STATUS:

06/14/2012 To SENATE Committee on GOVERNANCE AND FINANCE.

CA AB 2228

AUTHOR: Hayashi [D]
TITLE: Mental Health Services Act: Family Justice Centers
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
DISPOSITION: Failed - Adjourned
LOCATION: Assembly Health Committee
SUMMARY:

Requires the county mental health programs for children and for adults and seniors to include services that address the needs of crime victims who seek services at a family justice center, if the county has a family justice center.

STATUS:

03/12/2012 To ASSEMBLY Committee on HEALTH.

NOTES: Sent to Suzanne Tavano and Devorah Levine for input.

CA AB 2231

AUTHOR: Fuentes [D]
TITLE: Sidewalks: Repairs
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
LAST AMEND: 06/28/2012
DISPOSITION: Failed - Adjourned
LOCATION: Senate Appropriations Committee
SUMMARY:

Provides that if a city, county, or city and county has an ordinance in place that requires the local entity to repair sidewalks, a repeal of the ordinance shall become effective only if the repealing ordinance is approved by voters on the measure in a consolidated or general election. Makes these provisions applicable to charter entities. Prohibits such local entities from imposing a fee, charge or assessment, except a voluntary contractual assessment for such repairs, unless the ordinance is repealed.

STATUS:

08/16/2012 In SENATE Committee on APPROPRIATIONS: Held in committee.

NOTES: BOS adopts OPPOSE 05.08.12

CA AB 2299

AUTHOR: Feuer [D]
TITLE: Local Government: Public Safety Officials: Confidential
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
LAST AMEND: 06/06/2012
DISPOSITION: Failed - Adjourned

LOCATION: Senate Governance and Finance Committee

SUMMARY:
 Authorizes the board of supervisors of a county to establish a program that requires the names of certain public safety officials to be redacted from any property record of principal residence that is disclosed to the public by that county. Authorizes a fee for participation. Requires the county to ensure that the property record of the official is redacted in a specified manner when a search is conducted by index by name of the official.

STATUS:
 06/13/2012 In SENATE Committee on GOVERNANCE AND FINANCE:
 Heard, remains in Committee.

NOTES: SW recommends Oppose.

CA AB 2304 **AUTHOR:** Garrick [R]
TITLE: Pets: Cosmetic Teeth Cleaning
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
DISPOSITION: Failed
LOCATION: ASSEMBLY
SUMMARY:
 Provides that dental operation for purposes of veterinary medicine does not include a service whereby a person utilizes nonmotorized instruments to remove calculus, soft deposits, plaque, or stains from an exposed area of a household pet's tooth above the gum line, provided that the service is performed exclusively for cosmetic purposes and the person performing the service first obtains written permission.

STATUS:
 05/21/2012 From ASSEMBLY Committee on BUSINESS, PROFESSIONS &
 CONSUMER PROTECTION without further action pursuant to
 JR 62(a).

NOTES: BOS adopts OPPOSE on 04.24.12

CA AB 2312 **AUTHOR:** Ammiano [D]
TITLE: Controlled Substances
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
LAST AMEND: 05/25/2012
DISPOSITION: Failed - Adjourned
LOCATION: Senate Business, Professions & Economic Development
 Committee
SUMMARY:
 Authorizes qualified patients and specified persons to cultivate, acquire, process, possess, transport, sell, and distribute marijuana for medical purposes without being subject to criminal action if they are in compliance with registration requirements. Relates to the production of a false physician's recommendation. Establishes the Medical Marijuana Regulation and Control Act and a related enforcement board. Provides procedures and requirements for registered dispensaries. Authorizes a related use tax.

STATUS:

	06/25/2012	In SENATE Committee on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT: Heard, remains in Committee.
	NOTES:	Watch
CA AB 2451	AUTHOR:	Perez J [D]
	TITLE:	Workers' Compensation: Firefighters
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/24/2012
	VETOED:	09/30/2012
	DISPOSITION:	Vetoed
	LOCATION:	Vetoed
	SUMMARY:	
		Provides that certain proceedings related to the collection of death benefits of firefighters and peace officers may be commenced within, but no later than, a specified number of weeks from the date of injury, and in no event more than a specified time period after the date of death, if specified conditions are met.
	STATUS:	
	09/30/2012	Vetoed by GOVERNOR.
	NOTES:	Consistent w Platform. OPPOSE letter to Gov.
CA ACA 18	AUTHOR:	Swanson [D]
	TITLE:	Taxation: Parcel Tax
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/18/2011
	LAST AMEND:	04/30/2012
	DISPOSITION:	Failed
	LOCATION:	ASSEMBLY
	SUMMARY:	
		Proposes an amendment to the Constitution to condition the imposition, extension, or increase of a parcel tax by a city, county, or special district for the purpose of funding the maintenance or improvement of fire protection services or police protection services, or both, upon the approval of a majority of its voters voting on the proposition. Makes conforming changes to related provisions.
	STATUS:	
	08/31/2012	In ASSEMBLY. Reconsideration granted.
	08/31/2012	In ASSEMBLY. Read third time. Failed to pass ASSEMBLY. (43-27)
	NOTES:	BOS Support if Amended 06.26.12
CA SB 301	AUTHOR:	DeSaulnier [D]
	TITLE:	Managed Care Plan Tax: Healthy Families Program
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/14/2011
	LAST AMEND:	08/24/2012
	DISPOSITION:	Failed - Adjourned
	LOCATION:	Assembly Health Committee
	SUMMARY:	

Extends the tax on the total operating revenue of Medi-Cal managed care plans under the Medi-Cal program. Extends the signature requirements for returns that report such tax. Repeals the provisions of existing law that requires the transfer of Healthy Families Program enrollees into the Medi-Cal program.

STATUS:

08/27/2012 Re-referred to ASSEMBLY Committee on HEALTH.
NOTES: Dr. Walker recommends a letter of Support. Consistent w Platform.

CA SB 654

AUTHOR: Steinberg [D]
TITLE: Redevelopment
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/18/2011
LAST AMEND: 01/31/2012
DISPOSITION: Failed - Adjourned
LOCATION: Assembly Housing and Community Development Committee
SUMMARY:

Amends existing law related to redevelopment agencies and funds. Revises the definition of the term enforceable obligation. Modifies provisions relating to the transfer of housing funds and responsibilities associated with dissolved redevelopment agencies. Provides that any amounts on deposit in the Low and Moderate Income Housing Fund of a dissolved redevelopment agency be transferred to specified entities. Provides that agreements funding for projects loans are still valid.

STATUS:

04/16/2012 To ASSEMBLY Committees on HOUSING AND COMMUNITY
NOTES: DEVELOPMENT and LOCAL GOVERNMENT.
 BOS Support 05.08.12

CA SB 703

AUTHOR: Hernandez E [D]
TITLE: Health Care Coverage: Basic Health Program
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/18/2011
LAST AMEND: 06/25/2012
DISPOSITION: Failed - Adjourned
LOCATION: Assembly Appropriations Committee
SUMMARY:

Establishes a Basic Health Program to be administered by the State Department of Health Care Services. Requires entering into a contract with the federal government to implement the program. Sets forth the duties relative to the eligibility, premiums, and the selection of health plans. Permits enrollment beginning on a specified date. Creates a related trust fund subject to appropriation. Provides funding sources. Authorizes General Fund loans for the initial startup expenses. Requires an evaluation.

STATUS:

08/16/2012 In ASSEMBLY Committee on APPROPRIATIONS: Held in
NOTES: committee.
 Sending letter of support, per Dr. Walker request

CA SB 863 **AUTHOR:** De Leon [D]
TITLE: Workers' Compensation
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/18/2011
ENACTED: 09/18/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 363
SUMMARY:
Provides for a mass revision of the workers' compensation laws. Relates to doctors of chiropractic, a specified return-to-work program, labor-management agreements, self-insured employers, surgery, re-training and skill enhancement, home health care services, independent medical review, medical provider networks, billing, liens, language interpretation services, and certain reporting requirements.
STATUS:
09/19/2012 Chaptered by Secretary of State. Chapter No. 363
NOTES: Risk Management reviewing

CA SB 970 **AUTHOR:** De Leon [D]
TITLE: Health Care Reform Eligibility, Enrollment & Retention
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 01/17/2012
VETOED: 09/30/2012
DISPOSITION: Vetoed
LOCATION: Vetoed
SUMMARY:
Provides for the transmittal to a county human services department of information about an applicant initially applying for, or renewing, health care coverage using the single state application developed pursuant to existing law, if the applicant's consents, to have his or her application information used to simultaneously initiate applications for CalWORKs and CalFresh for initiation of the application. Requires a workgroup to consider the integration and renewal processes using a single state application.
STATUS:
09/30/2012 Vetoed by GOVERNOR.
NOTES: Watch

CA SB 986 **AUTHOR:** Dutton [R]
TITLE: Redevelopment: Bond Proceeds
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 01/31/2012
LAST AMEND: 05/29/2012
DISPOSITION: Failed - Adjourned
LOCATION: SENATE
SUMMARY:
Requires that unencumbered balances of funds that are derived from tax exempt bond proceeds be used in accordance with the requirements of this legislation.

Requires that the proceeds of bonds issued by a former redevelopment agency must be used by the successor agency for the purposes for which the bonds were sold pursuant to an enforceable obligation that was entered into by the former agency. Provides for the disposition of bonds proceeds not subject enforceable obligation.

STATUS:

05/31/2012 In SENATE. Urgency clause failed adoption. (21-13)
NOTES: BOS Support 05.08.12

CA SB 987

AUTHOR: Negrete McLeod [D]
TITLE: Public Employees Retirement
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/31/2012
ENACTED: 09/30/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 833
SUMMARY:

Provides that all references to spouse, surviving spouse, or marriage in the Public Employees' Retirement Law provisions apply equally to domestic partner or domestic partnership and all rights and responsibilities shall be granted equally thereto. Clarifies the definition of leave of absence. Relates to the quarterly review of the system's assets. Revises the definition of employee. Expands the definition of mandatory furlough. Relates to the building account. Relates to serving without reinstatement.

STATUS:

09/30/2012 Chaptered by Secretary of State. Chapter No. 833

CA SB 996

AUTHOR: Public Employment & Retirement Cmt
TITLE: County Employees Retirement Law: Heart Trouble
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/06/2012
ENACTED: 09/29/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 792
SUMMARY:

Amends the County Employees Retirement Law of 1937 that provides that if a safety member, a fireman member, or a member in active law enforcement who has completed a specified number of years of service develops heart trouble, that the trouble is presumed to arise out of an in the course of employment. Clarifies that the existing presumption is rebuttable.

STATUS:

09/29/2012 Chaptered by Secretary of State. Chapter No. 792
NOTES: Sent to HR & CC for review

CA SB 1003

AUTHOR: Yee [D]
TITLE: Open Meetings; Cease and Desist Letters
FISCAL COMMITTEE: no

URGENCY CLAUSE: no
INTRODUCED: 02/06/2012
ENACTED: 09/28/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 732
SUMMARY:

Amends the Ralph M. Brown Act regarding open meetings. Prohibits a district attorney or an interested person from filing an action for an alleged violation of the act for past actions of a legislative body, unless certain conditions are met, including the submission of a cease and desist letter to the accused body, and the body has refused to issue an unconditional commitment to cease and desist after receiving the letter. Provides the cease and desist commitment contents. Relates to an attorney fee award.

STATUS:

09/28/2012 Signed by GOVERNOR.
09/28/2012 Chaptered by Secretary of State. Chapter No. 732
NOTES: Sent to CC for review. Watch.

CA SB 1040

AUTHOR: Evans [D]
TITLE: Fire Prevention: Fees
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 02/06/2012
LAST AMEND: 08/27/2012
DISPOSITION: Failed - Adjourned
LOCATION: Assembly Budget Committee
SUMMARY:

Makes a repeal regarding state primary financial responsibility for preventing and suppressing fires and for fire prevention fees. Requires annual fee adjustment. Repeals provisions regarding the State Responsibility Area Fire Prevention Fund, owners of structures in state responsibility areas, fee retention, startup costs and costs of administration. Relates to refunds and expenses incurred in collections. Repeals provisions regarding an appeals process.

STATUS:

08/27/2012 Re-referred to ASSEMBLY Committee on BUDGET.
08/27/2012 From ASSEMBLY Committee on BUDGET with author's amendments.
08/27/2012 In ASSEMBLY. Read second time and amended. Re-referred to Committee on BUDGET.
NOTES: Support the SRA fee repeal provision

CA SB 1149

AUTHOR: DeSaulnier [D]
TITLE: Bay Area Regional Commission
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2012
LAST AMEND: 05/15/2012
DISPOSITION: Failed - Adjourned
LOCATION: Senate Appropriations Committee

SUMMARY:

Creates the Bay Area Regional Commission to adopt public and community outreach policies and to review and comment on policies and plans relative to the transportation planning sustainable communities strategy of regional entities. Provides for the commission to seek modifications to the functional regional plan adopted by each regional entity in that regard. Provides the commission is responsible for ensuring that the strategy for the region is consistent with existing law. Regard bridge toll revenues.

STATUS:

05/21/2012 In SENATE Committee on APPROPRIATIONS: Not heard.
NOTES: To the BOS for consideration on 5/22. Removed.

CA SB 1151

AUTHOR: Steinberg [D]
TITLE: Long Range Asset Management Plan
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2012
LAST AMEND: 05/29/2012
DISPOSITION: Failed - Adjourned
LOCATION: Assembly Housing and Community Development Committee
SUMMARY:

Establishes a Sustainable Economic Development and Housing Trust Fund administered by a related authority, to serve as a repository of the unencumbered balances and assets of the former redevelopment agency. Requires an authority to prepare a long range asset management plan that governs the disposition and ongoing use of the fund. Requires an authority to submit the plan to the Department of Finance.

STATUS:

06/15/2012 To ASSEMBLY Committees on HOUSING AND COMMUNITY
DEVELOPMENT and LOCAL GOVERNMENT.
NOTES: BOS Support if Amended 05.08.12

CA SB 1156

AUTHOR: Steinberg [D]
TITLE: Sustainable Communities Investment Authority
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2012
VETOED: 09/29/2012
DISPOSITION: Vetoed
LOCATION: Vetoed
SUMMARY:

Authorizes certain public bodies of a Sustainable Communities Investment Area to form an authority to carryout the Community Redevelopment Law. Requires the authority to adopt Sustainable Communities Investment Plan for the area and to include in the plan a provision for the receipt of tax increment funds provided certain economic development and planning requirements are met. Authorities the entity forming such authority to dedicate revenue to the authority through the plan. Relates to prevailing wages.

STATUS:

09/29/2012 Vetoed by GOVERNOR.

NOTES: Letter of support to Gov on 09.19.12

CA SB 1220 **AUTHOR:** DeSaulnier [D]
TITLE: Housing Opportunity and Market Stabilization
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/23/2012
LAST AMEND: 05/25/2012
DISPOSITION: Failed
LOCATION: SENATE
SUMMARY:
Enacts the Housing Opportunity and Market Stabilization Trust Fund Act of 2012. Imposes a fee to be paid at the time of the recording of every real estate instrument paper, or notice. Requires the revenues to be deposited in the fund. Provides the fund moneys may be expended for supporting affordable housing, administering housing programs, and the cost of periodic audits.
STATUS:
05/31/2012 In SENATE. Read third time. Failed to pass SENATE. (25-13)
NOTES: Monitor, potentially request amendment to disperse funds to local Housing Successor Agencies in lieu of HCD

CA SB 1335 **AUTHOR:** Pavley [D]
TITLE: Redevelopment and Brownfield Sites
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
LAST AMEND: 04/30/2012
DISPOSITION: Failed - Adjourned
LOCATION: Senate Appropriations Committee
SUMMARY:
Relates to dissolved redevelopment agencies and community development agencies and the designation of successor agencies. Authorizes a successor agency to retain property obtained by the former redevelopment agency for specified remediation or removal purposes of the release of hazardous substances at a brownfield site using available financing, funds, and grants, subject to approval of the oversight board. Requires use of existing asset disposition provisions.
STATUS:
05/24/2012 In SENATE Committee on APPROPRIATIONS: Held in committee.
NOTES: Staff is watching

CA SB 1337 **AUTHOR:** DeSaulnier [D]
TITLE: Zone 7 Water Agency Act
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
LAST AMEND: 05/01/2012
DISPOSITION: Failed - Adjourned
LOCATION: Senate Appropriations Committee

SUMMARY:

Creates the Zone 7 Water Agency. Permits the Alameda County Local Agency Formation Commission to exclude some or all of its territory from a specified district. Authorizes the agency to continue to impose any special taxes based upon the assessed value or other special taxes, assessments, or charges imposed by or on behalf of the former zone. Authorizes the agency to impose new special taxes or levy assessments. Relates to the levy and collection of those taxes. Relates to the county treasurer.

STATUS:

05/07/2012 In SENATE Committee on APPROPRIATIONS: Not heard.
NOTES: we will be requesting the bill to be amended and will be requesting CC to review the language

CA SB 1363

AUTHOR: Yee [D]
TITLE: Juveniles: Solitary Confinement
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
LAST AMEND: 04/09/2012
DISPOSITION: Failed
LOCATION: SENATE

SUMMARY:

Provides a minor or ward who is detained in, or sentenced to, any juvenile facility, or other secure state or local facility shall not be subject to solitary confinement, unless the minor or ward poses an immediate and substantial risk or harm to others or to the security of the facility and all other less-restrictive options have been exhausted. Permits the use of solitary confinement only in accordance with guidelines. Requires certain evaluations by clinical staff. Relates to suicide prevention.

STATUS:

05/21/2012 From SENATE Committee on PUBLIC SAFETY without further action pursuant to JR 62(a).

CA SB 1387

AUTHOR: Emmerson [R]
TITLE: Metal Theft
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
ENACTED: 09/27/2012
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 656

SUMMARY:

Prohibits any junk dealer or recycler from possessing a fire hydrant or fire department connection, including bronze or brass fittings or parts, a manhole cover or lid, or any part of that cover or lid, or a backflow device and connections to that device, that was owned by a public entity or private utility, without a written certification on the letterhead of the entity that owns or previously owned the material and that the entity has sold such material. Provides for a criminal fine.

STATUS:

	09/27/2012	Chaptered by Secretary of State. Chapter No. 656
	NOTES:	To BOS for support on 4/24
CA SB 1462	AUTHOR:	Leno [D]
	TITLE:	County Sheriffs: Release of Prisoners: Medical Release
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/24/2012
	ENACTED:	09/30/2012
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	837
	SUMMARY:	Authorizes the release of a prisoner from a county correctional facility after conferring with a physician if the sheriff determines that the prisoner would not reasonably pose a threat to public safety and the prisoner is deemed to have a specified life expectancy. Authorizes the sheriff to request the court to grant medical probation or to resentence a prisoner to medical probation. Requires participating counties to pay the nonfederal share of the Medi-Cal costs and to adopt a process to fund that share.
	STATUS:	
	09/30/2012	Chaptered by Secretary of State. Chapter No. 837
	NOTES:	Sent to CCP for review
CA SB 1472	AUTHOR:	Pavley [D]
	TITLE:	Real Property: Blight
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/24/2012
	LAST AMEND:	06/28/2012
	DISPOSITION:	Failed - Adjourned
	LOCATION:	Assembly Inactive File
	SUMMARY:	Extends existing law that provides a civil fine for not maintaining vacant residential property purchased at a foreclosure sale or acquired by that owner through foreclosure. Prohibits an enforcement agency from commencing any nuisance abatement action or proceeding until a certain number of days after a person takes title to the property. Authorizes a court to require the owner of property to pay all unrecovered costs associated with receivership for failing to comply with the terms of an order or notice.
	STATUS:	
	08/27/2012	In ASSEMBLY. To Inactive File.
	NOTES:	Staff is watching
CA SB 1494	AUTHOR:	DeSaulnier [D]
	TITLE:	County Employees' Retirement: Contra Costa County
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/24/2012
	LAST AMEND:	06/21/2012

DISPOSITION: Failed - Adjourned
LOCATION: Senate Unfinished Business
SUMMARY:
 Authorizes the Contra Costa County Board of Supervisors and the governing boards of districts, therein to negotiate with specified recognized employee organizations representing general members to subject general members to a specified age formula, known as Tier Four, and safety members who are hired on or after a specified date, to a specified age formula.
STATUS:
 08/20/2012 In ASSEMBLY. Read third time. Passed ASSEMBLY.
 *****To SENATE for concurrence. (78-0)
NOTES: Our bill

CA SB 1498 **AUTHOR:** Emmerson [R]
TITLE: Local Agency Formation Commission: Powers
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
DISPOSITION: Failed - Adjourned
LOCATION: Senate Governance and Finance Committee
SUMMARY:
 Authorizes the Local Agency Formation Commission to authorize a city or district to provide new or existing services outside its jurisdictional boundaries and outside its sphere of influence to support existing or planned uses involving public or private properties, subject to approval at a noticed public hearing.
STATUS:
 03/22/2012 To SENATE Committee on GOVERNANCE AND FINANCE.
NOTES: Watch

CA SB 1503 **AUTHOR:** Steinberg [D]
TITLE: In-Home Supportive Services Program
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
LAST AMEND: 04/09/2012
DISPOSITION: Failed - Adjourned
LOCATION: Assembly Health Committee
SUMMARY:
 Requires the Director of Social Services and the Director of Health Care Services to convene a stakeholder group to design a plan for the integration of long-term in-home supportive services and supports programs.
STATUS:
 07/03/2012 In ASSEMBLY Committee on HEALTH: Failed passage.
 07/03/2012 In ASSEMBLY Committee on HEALTH: Reconsideration granted.

CA SJR 15 **AUTHOR:** DeSaulnier [D]
TITLE: Harbor Maintenance Tax: Trust Fund Surplus
INTRODUCED: 09/07/2011
ENACTED: 07/06/2012
DISPOSITION: Adopted

LOCATION: Chaptered
CHAPTER: 66

SUMMARY:

Urges the President and Congress to significantly increase federal funding from the Harbor Maintenance Trust Fund surplus for navigational improvements and continued operational and maintenance dredging in those federal channels that serve California's ports, and to recognize the role of the state's ports in contributing to the greatest share of the Harbor Maintenance Tax revenues.

STATUS:

07/06/2012 Chaptered by Secretary of State.

07/06/2012 Resolution Chapter No. 66

NOTES: Sending letter of support. Consistent with Fed Platform.

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**OFFICE OF THE COUNTY ADMINISTRATOR
CONTRA COSTA COUNTY**

TO: Legislation Committee
Supervisor Mary N. Piepho, Chair
Supervisor Karen Mitchoff, Vice Chair

FROM: Lara DeLaney, Legislative Coordinator

DATE: November 2, 2012

SUBJECT: **Agenda Item #5: Draft 2013 State Legislative Platform**

RECOMMENDATIONS

REVIEW the Draft 2013 State Legislative Platform, provide direction to staff on any recommended changes, and RECOMMEND action to the Board of Supervisors.

BACKGROUND

Each fall, the County Administrator's Office initiates the development of the coming year's State and Federal Legislative platforms by inviting members of the Board of Supervisors, Department Heads and key staff to provide recommended changes or additions to the current Platforms. On October 9, 2012, departments were invited to meet with our State lobbyist and/or provide suggested changes to the Platforms by submitting input in writing. Staff also participated in the Urban Counties Caucus "Key Staff" meeting on the development of UCC Priorities and Policies for 2013, which has informed the County's Draft 2013 State Platform.

CAO staff has incorporated the requested changes to the State Platform in a draft document, "Draft 2013 State Legislative Platform." (See Attachment A, a redlined version, and Attachment B, the clean copy.)

The Legislation Committee typically reviews the draft document in November of each year, with the Final Draft document recommended to the Board of Supervisors for adoption in January.

CONTRA COSTA SPONSORED BILL PROPOSALS

To date, staff has received no proposals for Contra Costa County-sponsored bills for 2013.

LEGISLATIVE/REGULATORY ADVOCACY PRIORITIES

Staff recommends the following advocacy priorities for the County for 2013. The Legislation Committee may wish to provide direction to staff on these priority areas. The outcome of the November 6, 2012 election may necessitate further changes to these items.

1. State Budget – A slow economic recovery continues to plague the state and hamper the ability to fund core services. Baseline General Fund revenues for FY 2012-13 are projected to total \$89 billion and are not expected to return to their 2007-08 levels until 2014-15. Further, there remain significant risks and uncertainty to the state's fiscal health, including ongoing debt obligations, pension liabilities, and uncertainties associated with the continuing debate on addressing the federal budget deficit. The budget deficit for 2012-13 is estimated to be \$9.2 billion, including a current year deficit of \$4.1 billion. To address the deficit, the Governor is proposing a combination of spending reductions and temporary taxes (via ballot initiative) totaling \$10.3 billion to both balance the budget and establish a \$1.1 billion reserve. The Governor also proposes a new round of trigger cuts slated to take effect if his ballot initiative fails.

The long-standing practice of state government has been to look to counties as a means of balancing its budget. While opportunities to do so are more limited with the passage of Proposition 1A, the magnitude of the deficit makes it certain the State will be creative in their efforts to include counties as part of its budget balancing solution, likely through additional program re-alignment and revenue reductions.

Of particular concern to counties is the inadequate reimbursement for our increasing cost of operating several human services programs: the "Human Services Funding Deficit," formerly referred to as the "Cost of Doing Business." The annual shortfall between actual county expenses and State reimbursement has grown to over \$1 billion since 2001, creating a de facto cost shift to counties. The funding gap forces counties to reduce services to vulnerable populations and/or divert scarce county resources from other critical local services. It also increases the risk of State and Federal penalties.

2. Health Care – Counties have a high stake in California's health reform efforts. Counties serve as employers, payers, and providers of care to vulnerable populations. Consequently, counties stand ready to actively participate in discussions of how to best reform the health care system in California and implement the national health care reform legislation passed in 2010. The County will work on the implementation of required Health Care Reform measures to maximize Federal revenue. The County will support efforts to provide counties with the necessary tools to implement Health Care Reform which may include counties performing eligibility and enrollment, preserving existing county resources from 1991 Realignment, providing for a smooth transition in 2014 for the various operational systems, and supporting legislation

to ensure that low-income families are covered under the Affordable Care Act. In addition, the County will work to reduce uncompensated health care costs.

3. Water and Levees / The Sacramento-San Joaquin Delta – The Legislature’s passing of the Delta Reform Act (2009), a package of bills which established among other things, co-equal goals for reliable water supply and ecosystem restoration for the Delta, as well as the proposed Bay Delta Conservation Plan (BDCP)--an effort to construct a massive peripheral canal/tunnel-- will require significant, large-scale change to the Delta as we know it today. The scope and content of these changes and continuing political battles between north and south over water will continue to dominate legislative and administrative agendas in the coming year.

Significant future impacts upon the County in the areas of water quality and supply, levees, ecosystem, governance and flood control are anticipated. Additionally, a water bond has been delayed from the November 2012 ballot. Consideration should be given to the potential for the County to sponsor Delta-related legislation through our legislative delegation. The County may also work with the Delta Counties Coalition (DCC) to sponsor Delta-related legislation. Particular areas of concern for 2013 include, but are not limited to, impacts of Delta plans on local land use authority and expediting state bond funding for levee improvement projects. The County’s adopted Delta Water Platform, as well as the Strategic and Action Plans, are incorporated in this Platform by reference.

4. Constitutional Protections and Realignment Implementation – Since the 2011 Public Safety Realignment package passed in June 2011 without the constitutional protections requested by counties, one of the central goals of counties is to support efforts to achieve the constitutional protections that guarantee a dedicated on-going revenue stream and include provisions protecting counties against future actions by the Legislature, the courts, federal mandates and penalties, regulations or executive orders that increase county costs for Realignment. If Proposition 30 does not pass, counties will continue to work with the Governor to follow through on his promise to secure constitutional protections for counties. Counties will also support efforts to ensure that the receipt of Local Community Corrections Funds matches the amounts anticipated from the State, without undue delay.

With regard to Public Safety realignment, the County will support efforts that facilitate the smooth transition of prisoners and parolees at the county level. Counties have received parolees whose latest crime fits the specified “non-violent, non-serious, non-sex offender” (N3) definition, but who have a criminal background that includes violent, serious and/or sexual crimes. Under the current legislation, the person’s latest offense/crime determines if they meet the N3 criteria. However, counties have received people who have a very violent background. Specifically, a change would be requested to prevent those whose

total criminal background does not meet the N3 criteria. These individuals should stay under the responsibility of the State.

The County will also support efforts to provide additional funding/grants to those counties that have a commitment to lowering the crime rate and reducing recidivism through the provision of innovative, comprehensive, evidence-based programs for offender populations and their families.

Any future proposals to realign programs to counties must have constitutionally guaranteed ongoing funding and protections. The County will oppose any proposals that will transfer additional program responsibility to counties without funding and protections.

Changes from the 2012 State Platform:

1. The State Budget priority has been updated to reflect the most current state budget information from the Legislative Analyst's Office.
2. The Health Care priority has been amended to expand on the implementation of national health care reform.
3. Amendments have been made to Constitutional Protections and Realignment Implementation to reflect the current status of Realignment efforts.

STATE PLATFORM POLICY POSITIONS

The following are the requested Platform policy position changes from staff for the 2013 State Platform:

Agricultural Issues

- ✓ Add policy # 5. SUPPORT the CSAC policy statement regarding revisions to the California Conservation Act of 1965 (aka Williamson Act) to support legislative changes that preserve the integrity of the Williamson Act, eliminate abuses resulting in unjustified and premature conversions of contracted land for development, and to fully restore Williamson Act subventions. The state subventions to counties also must be revised to recognize all local tax losses.

Climate Change Issues

- ✓ Add policy #19: SUPPORT legislative or administrative efforts that favor allocation of funding from the California Greenhouse Gas Cap and Trade Program to jurisdictions that are the largest emitters of greenhouse gas.

Emergency Preparedness, Emergency Response

- ✓ Text change: SUPPORT legislation or other measures requiring the creation or utilization of emergency rock stockpiles suitable for levee repair throughout the Delta, enabling increasingly efficient and less costly prevention of levee breaks and enhancement of initial response capabilities.

Health Care Issues

- ✓ Add policy #73: SUPPORT efforts that allow counties to draw down federal Medicaid funds for providing confidential alcohol and drug screening and brief intervention services to pregnant women and women of childbearing age who also qualify for Medi-Cal benefits.

Land Use/Community Development Issues

- ✓ Text changes to add in consideration of Priority Development Areas in policies promoting economic development incentives for “smart growth” and CEQA exemptions or streamlining. (#100 and #103)
- ✓ Text changes to add “blight removal” to policy supporting tools for county economic development purposes. (#108)
- ✓ Add policy #110: SUPPORT legislation to resolve the statutory gap in localities without a Successor Housing Agency (for the housing functions of its dissolved redevelopment agency) so that property owners with redevelopment agency loans can identify someone to sign real estate related documents such as subordination agreements and loan payoff demands. Such legislation should not have a negative impact on the localities general fund.
- ✓ Add policy #111: SUPPORT legislative and regulatory efforts that streamline compliance with the California Environmental Quality Act (CEQA) by integrating it with other environmental protection laws and regulations, modifications to tiering of environmental reviews, expanding the application of prior environmental reviews, focusing areas of potential CEQA litigation, and enhancing public disclosure and accountability. OPPOSE efforts that reduce environmental protections for projects that cross county or city boundaries.

Levee Issues, Sacramento-San Joaquin Delta Issues

Any amendments to this section will be provided to the Legislation Committee at its December meeting.

Transportation Issues

- ✓ Text change to policy #133 to add preservation of County control over roads: The County supports preserving the authority of Public Works over County roads by way of ensuring the Board of Supervisors' control over County roads as established in the Streets & Highways Code (Ch2 §940) is not undermined.
- ✓ Text change to policy #134 regarding coordinated planning for school sites to add: The County supports the California Department of Education's current effort to better leverage school facilities in developing sustainable communities. Related to this effort, the County supports reform of school siting practices by way of legislative changes related to any new statewide school construction bond authorization.

Waste Management Issues

- ✓ Text change to policy #140 to add "polystyrene containers."
- ✓ Add policy #143: SUPPORT legislation that relieves counties with privately-operated landfills from the state requirement for maintaining a 15-year supply of disposal capacity for waste generated within each county. In 1989, Contra Costa County amended its general plan to accommodate construction of Keller Canyon Landfill. Due to the difficulty in siting landfills and the requirements of Public Resources Code 47100 – Countywide Siting Element, the County maintained authority to control the amount of waste disposed at this facility from outside the county. Despite Contra Costa County's opposition, AB 845 will become law on January 1, 2013 and prohibit any jurisdiction from regulating the amount of waste disposed at a privately-operated landfill based on its place of origin.

Since local jurisdictions can no longer control importation of waste to privately-operated landfills, the host County will have a greater need to undertake the difficult task of identifying new disposal capacity pursuant to the Countywide Siting Element requirement. Since the state believes there is no need for local jurisdictions to regulate disposal of solid waste by place of origin, the state should remove existing statutes that require each County with privately-operated landfills to identify sufficient disposal capacity for the waste generated by the jurisdictions within that County.

- ✓ Add policy #144: SUPPORT legislation that can reduce the amount of harmful pharmaceuticals that ultimately enter waste water treatment facilities and landfills.

- ✓ Add policy #145: SUPPORT legislative and regulatory efforts to restrict payments from the Beverage Container Recycling Program Fund for redemption of beverage containers sold out of state. Fraudulent redemption of these beverage containers is costing the Fund from \$40 million to \$200 million annually. This fraud combined with loans to the General Fund to reduce the State budget deficit has significantly reduced the availability of funds for increasing recycling as intended under the law.

- ✓ Add policy #146: SUPPORT legislative and regulatory efforts that correct the imbalance between the County's regulatory authority to control the collection and disposal of solid waste generated within the unincorporated areas and our exposure to state penalties for failing to meet state mandates for diverting solid waste generated within these areas as a result of Appellate Court decisions. These decision awarded solid waste franchise authority to the Rodeo Sanitary District and Mountain View Sanitary District while the County remains exposed to state penalties for failing to meet state mandates for reducing solid waste generated in these areas.

=====

Attachment A: Draft 2013 State Platform (redlined)

Attachment B: Draft 2013 State Platform (clean copy)

2012~~23~~ STATE LEGISLATIVE PLATFORM CONTRA COSTA COUNTY



Each year, the Board of Supervisors adopts a State Legislative Platform that establishes priorities and policy positions with regard to potential State legislation and regulation. The State Legislative Platform includes County-sponsored bill proposals as needed; legislative or regulatory advocacy priorities for the year; and policies that provide direction and guidance for identification of bills which would affect the services, programs or finances of Contra Costa County.

COUNTY-SPONSORED BILLS

~~1. **New Pension Tiers Legislation:** The County is currently in negotiation with many of its bargaining units regarding the development of new pension tiers, Tier IV and Tier D (for Safety employees). The current Memorandum of Understanding for Local 21 and the Management Resolution both include provisions to close Tier III, Tier A, and Tier C to all hired after December 31, 2012 and create Tier IV and Tier D, which will be applicable to all hired after that date.~~

~~The County is seeking enabling legislation to amend the County Employees Retirement Act of 1937 to enact this change and to allow Tier IV to apply to each bargaining unit that agrees to implement the Tier. In addition, the County is also presently negotiating with its safety-related bargaining units with the intention of reaching agreement on the creation and adoption of Tier D¹. As with Tier IV, Tier D will apply to each bargaining unit that agrees to implement the Tier, and enabling legislation is required to effectuate the new tier.~~

~~The County may also seek in legislation, as appropriate, additional general authority for the County and its Unions to agree to different retirement benefits for future employees for different bargaining units or subgroups, if approved in a Memorandum of Understanding. In addition, the County may also seek, as appropriate, additional general authority for the County and its Unions to agree that employees hired after December 31, 2012 may pay part of the Employer's retirement contributions, if approved in a Memorandum of Understanding.~~

~~*Rationale:* By negotiating these retirement plan changes at the bargaining table, Contra Costa County achieves local pension reform that saves money for County taxpayers and helps the pension system, the Contra Costa County Employees Retirement Association (CCGERA), stay sustainable for retirees. Legislation is required to amend the County Employees Retirement Law of 1937 to enact these changes.~~

¹ On December 6, 2011, the Board of Supervisors adopted Resolution No. 2011/486 approving the MOU with the Deputy Sheriffs' Association Management Unit and the MOU with the DSA, Rank and File Unit, implementing an agreement for the period of July 1, 2008 through June 30, 2013.

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LEGISLATIVE/REGULATORY ADVOCACY PRIORITIES

Each year, issues emerge through the legislative process that are of importance to the County and require advocacy efforts. For 2012~~3~~, it is anticipated that critical issues requiring legislative advocacy will include the following:

1. State Budget – A slow economic recovery continues to plague the state and hamper the ability to fund core services. ~~In 2012-13, State General Fund and Education Protection Account revenues are estimated at \$95.9 billion, an increase of \$9 billion, or about 10 percent, over the estimated 2011-12 level. Baseline General Fund revenues for FY 2012-13 are projected to total \$89 billion and are not expected to return to their 2007-08 levels until 2014-15. Under the 2012-13 spending plan, the General Fund and the Education Protection Account would have a combined 2011-12 year-end deficit of about \$3.6 billion.~~ Further, there remain significant risks and uncertainty to the state's fiscal health, including ongoing debt obligations, pension liabilities, and uncertainties associated with the continuing debate on addressing the federal budget deficit. ~~The budget deficit for 2012-13 is estimated to be \$9.2 billion, including a current year deficit of \$4.1 billion.~~ To address the deficit, the Governor is proposing a combination of spending reductions and temporary taxes (via ballot initiative) ~~totaling \$10.3 billion~~ to both balance the budget and establish a ~~\$1.1 billion~~ 948 million reserve. The Governor also proposes a new round of trigger cuts slated to take effect if his ballot initiative ~~fails~~.

Comment [LD1]: Will be updated after the Nov. 6 election.

The long-standing practice of state government has been to look to counties as a means of balancing its budget. While opportunities to do so are more limited with the passage of Proposition 1A, the magnitude of the deficit makes it certain the State will be creative in their efforts to include counties as part of its budget balancing solution, likely through additional program re-alignment and revenue reductions.

Of particular concern to counties is the inadequate reimbursement for our increasing cost of operating several human services programs: the "Human Services Funding Deficit," formerly referred to as the "Cost of Doing Business." The annual shortfall between actual county expenses and State reimbursement has grown to over \$1 billion since 2001, creating a de facto cost shift to counties. The funding gap forces counties to reduce services to vulnerable populations and/or divert scarce county resources from other critical local services. It also increases the risk of State and Federal penalties.

2. Health Care – Counties have a high stake in California's health reform efforts. Counties serve as employers, payers, and providers of care to vulnerable populations. Consequently, counties stand ready to actively participate in discussions of how to best reform the health care system in California and implement the national health care reform legislation passed in 2010. The County will work on the implementation of required Health Care Reform measures to maximize Federal revenue. The County will support efforts to provide counties with the necessary tools to implement Health Care Reform which may include counties performing eligibility and enrollment, preserving existing county resources from 1991 Realignment, providing for a smooth transition in 2014 for the various operational systems, and supporting legislation to ensure that low-

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income families are covered under the Affordable Care Act. In addition, the County will work to reduce uncompensated health care costs.

3. Water and Levees /The Sacramento-San Joaquin Delta – The Legislature’s passing of the Delta Reform Act (2009), a package of bills which established among other things, co-equal goals for reliable water supply and ecosystem restoration for the Delta, as well as the proposed Bay Delta Conservation Plan (BDCP)--an effort to construct a massive peripheral canal/tunnel-- will require significant, large-scale change to the Delta as we know it today. The scope and content of these changes and continuing political battles between north and south over water will continue to dominate legislative and administrative agendas in the coming year. Significant future impacts upon the County in the areas of water quality and supply, levees, ecosystem, governance and flood control are anticipated. Additionally, a water bond has been ~~proposed~~ delayed for from the November 2012 ballot. Consideration should be given to the potential for the County to sponsor Delta-related legislation through our legislative delegation. The County may also work with the Delta Counties Coalition (DCC) to sponsor Delta-related legislation. Particular areas of concern for 20123 include, but are not limited to, impacts of Delta plans on local land use authority and expediting state bond funding for levee improvement projects. The County’s adopted Delta Water Platform, as well as the Strategic and Action Plans, are incorporated in this Platform by reference.

4. Constitutional Protections and Realignment Implementation—Since the 2011 Public Safety Realignment package passed in June 2011 without the constitutional protections requested by counties, one of the central goals of counties is to support efforts to achieve the constitutional protections that guarantee a dedicated on-going revenue stream and include provisions protecting counties against future actions by the Legislature, the courts, federal mandates and penalties, regulations or executive orders that increase county costs for Realignment. If Proposition 30 does not pass, counties will continue to work with the Governor to follow through on his promise to secure constitutional protections for counties. Counties will also support efforts to ensure that the receipt of Local Community Corrections Funds matches the amounts anticipated from the State, without undue delay.

Comment [LD2]: To be edited after Nov. 6

~~In addition, there are major realignment implementation issues that need to be addressed and passed in the Legislature including the “super structure,” how to allocate growth of revenue, and the transferability of funds between programs.~~

With regard to Public Safety realignment, the County will support efforts that facilitate the smooth transition of prisoners and parolees at the county level. Counties ~~are currently have receiving received~~ parolees whose latest crime fits the specified “non-violent, non-serious, non-sex offender” (N3) definition, but who have a criminal background that includes violent, serious and/or sexual crimes. Under the current legislation, the person’s latest offense/crime determines if they meet the N3 criteria. However, counties ~~are receiving~~ have received people who have a very violent background. Specifically, a change would be requested to prevent those whose total

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criminal background does not meet the N3 criteria. These individuals should stay under the responsibility of the State.

~~The County will also support efforts to alter the present formula for the allocation of funds to counties, which favors those counties that incarcerate a greater percentage of the local population due to local sentencing practices, fewer crimes outside the non-violent, non-serious, non-sexual criteria, and a lesser commitment to alternative sentencing and diversion programs.~~ The County will also support efforts to provide additional funding/grants to those counties that have a commitment to lowering the crime rate and reducing recidivism through the provision of innovative, comprehensive, evidence-based programs for offender populations and their families.

Any future proposals to realign programs to counties must have constitutionally guaranteed ongoing funding and protections. The County will oppose any proposals that will transfer additional program responsibility to counties without funding and protections.

STATE PLATFORM POLICY POSITIONS

A brief background statement accompanies policy positions that are not self-evident. Explanatory notes are included either as the preface to an issue area or following a specific policy position. Please note that new and revised policy positions are highlighted and in italics. The rationale for the policy position is italicized.

Agricultural Issues

1. SUPPORT efforts to ensure sufficient State funding for pest and disease control and eradication efforts to protect both agriculture and the native environment, including glassy-winged sharpshooter, light brown apple moth, and Japanese dodder activities; high risk pest exclusion activities; pesticide regulatory and law enforcement activities; and noxious weed pest management. *Agriculture is an important industry in Contra Costa County. Protection of this industry from pests and diseases is important for its continued viability.*
2. SUPPORT continued appropriations for regulation and research on sudden oak death, a fungal disease affecting many species of trees and shrubs in native oak woodlands. *The County's natural environment is being threatened by this disease.*
3. SUPPORT funding for agricultural land conservation programs and agricultural enterprise programs to protect and enhance the viability of local agriculture. *The growth in East County and elsewhere has put significant pressure on agricultural lands, yet agriculture is important not only for its production of fresh fruits, vegetables and livestock, but also as a source of open space.*
4. SUPPORT legislation to establish legal authority where needed to facilitate the efforts by the California Department of Food and Agriculture and the Department

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of Boating and Waterways to survey and treat all incipient infestations of the South American spongeplant and a continued long-term effort to rid the Delta of this *and other* invasive species. *Invasive aquatic species are a threat to agriculture, the environment and recreation in the Delta.*

- 4-5. *SUPPORT the CSAC policy statement regarding revisions to the California Conservation Act of 1965 (aka Williamson Act) to support legislative changes that preserve the integrity of the Williamson Act, eliminate abuses resulting in unjustified and premature conversions of contracted land for development, and to fully restore Williamson Act subventions. The state subventions to counties also must be revised to recognize all local tax losses.*

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Animal Services Issues

- 5-6. SUPPORT efforts to protect local revenue sources designated for use by the Animal Services Department; i.e., animal licensing, fines and fees. *Fines, fees, and licensing are major sources of revenue for the Animal Services Department. The demand for animal services is increasing each year as does the demand on the General Fund. It is important to protect these revenue sources to continue to provide quality animal service and to meet local needs.*
- 6-7. SUPPORT efforts to protect or increase local control and flexibility over the scope and level of animal services. *Local control over the scope of animal services is necessary to efficiently address public safety and other community concerns. Local control affords jurisdictions the ability to tailor animal service programs to fit their communities. Animal related issues in dense urban areas vary from those in small, affluent communities.*
- 7-8. SUPPORT efforts to protect against unfunded mandates in animal services or mandates that are not accompanied by specific revenue sources which completely offset the costs of the new mandates, both when adopted and in future years. *Unfunded mandates drain our limited fiscal resources and, at the same time, chip away at local control over the scope and level of services.*
- 8-9. SUPPORT efforts to ensure full funding of State animal services mandates, including defense of the Department of Finance's lawsuit against the State Commission on Mandates regarding the State obligations for reimbursement of local costs for animal services incurred in compliance with SB 1785. *The County invested large sums of money to comply with SB 1785, with the assurance that our cost would be offset by reimbursements from the State. Failure by the State to honor the reimbursements negatively impacts the County General Fund and Animal Services' budget.*
- 9-10. SUPPORT efforts to protect and/or increase County flexibility to provide animal services consistent with local needs and priorities. *The demand for quality animal service programming continues to increase each year. The County is*

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experiencing population growth and changing demographics. It is incumbent upon the Animal Services Department to be flexible enough to adjust to the changing needs and priorities.

- | ~~40-11.~~ SUPPORT efforts to preserve the integrity of existing County policy relating to Animal Services (e.g., the Animal Control Ordinance and land use requirements). *Contra Costa is looked upon as one of the model Animal Services Departments in the state. Its policies, procedures, and ordinances are the yardstick against which other Animal Control organizations are measured. The local control exercised by the Board of Supervisors is key to that hallmark.*

Child Support Services Issues

- | ~~44-12.~~ SUPPORT the establishment of a statewide electronic registry for the creation and release/satisfaction of liens placed on property of a non-custodial parent as necessary to collect delinquent child support payments. *California law currently provides that recording an abstract or notice of support judgment with a County Recorder creates a lien on real property. This requires recording the judgment in each of the 58 counties in order not to miss a property transaction. An electronic registry would simplify not only the creation of liens but also the release/satisfaction of liens because there would be a single statewide point of contact, and the entire process would be handled electronically through automated means.*
- | ~~42-13.~~ SUPPORT amendment of current law that states that documents completed and recorded by a local child support agency may be recorded without acknowledgement (notarization) to clarify that the exception is for documents completed or recorded by a local child support agency. *This amendment clarifies that documents that are prepared by the local child support agency and then sent for recording either by the local child support agency or by the obligor (non-custodial parent) or by a title insurance company are covered by the exemption, a technical point not acknowledged by all county recorder offices.*
- | ~~43-14.~~ SUPPORT efforts to simplify the court process for modifying child support orders by the court by requiring court appearances only when one of the parties objects to the modification. *Currently, establishment of parentage and support by the court is permitted without court appearance if both parties are in agreement. A similar process for modification would reduce court time, the workload of all involved agencies and parties, and streamline the process.*
- | ~~44-15.~~ SUPPORT efforts to ensure that the reduction caused by the federal Deficit Reduction Act of 2005 to the California Department of Child Support Services is not passed down as a reduction to the local program. *The Act places a restriction on the ability of states to use incentive funds as the state match to draw additional federal funds. In previous years, California used its \$30 million in federal funds in child support programs.*

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| ~~45-16.~~ SUPPORT efforts that would require the Department of Child Support Services to provide any notice form, information, or document that is required or authorized to be given, distributed, or provided to an individual, a customer, or a member of the public to be given, distributed, or provided in a digitized form, and by any means the Department determines is feasible, including, but not limited to, e-mail or by means of a web site.

Climate Change Issues

| ~~46-17.~~ SUPPORT the *CSAC Climate Change Policy Statements and Principles* which address a broad range of issues affected by climate change, including water, air quality, agriculture, forestry, land use, solid waste, energy and health. *The document is largely based on existing CSAC policy and adapted to climate change. Additionally, the document contains a set of general principles which establish local government as a vital partner in the climate change issue and maintain that counties should be an active participant in the discussions in the development of greenhouse gas reduction strategies underway at the state and regional level.*

| ~~18.~~ SUPPORT efforts to ensure that the implementation of AB 32 results in harmony among the greenhouse gas reduction target created by the Air Resources Board for each regional/local agency, the housing needs numbers provided by the state Department of Housing and Community Development pursuant to housing element law, the Sustainable Communities Strategy, and the Regional Transportation Plan processes.

| ~~47-19.~~ *SUPPORT legislative or administrative efforts that favor allocation of funding from the California Greenhouse Gas Cap and Trade Program to jurisdictions that are the largest emitters of greenhouse gas.*

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Elections Issues

| ~~48-20.~~ SUPPORT legislation to adjust precinct sizing from 1,000 voters per precinct to 1,250 voters per precinct. *With the option of being able to have up to 1,250 voters per precinct, the best polling locations in a neighborhood can be selected, and that same site is more likely to be used for several elections, thus avoiding the need to change poll sites for voters.*

| ~~49-21.~~ SUPPORT full state reimbursement for state mandates imposed upon local registrars by the Secretary of State, including special state elections. *The state has committed to reimburse Counties for the cost of certain state mandates. That reimbursement process, SB 90, can be lengthy and contentious. The SB 90 process is also subject to uncertainties including partial payments, delayed payments, and now, suspended or no payments. In lieu of the SB 90 process for*

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Elections, there is merit in the examination of having the state pay its pro-rata share of costs when state candidates/measures are on the ballot.

20-22. SUPPORT legislation that would add provisions to the state Elections Code that would allow special elections to fill a vacancy in a congressional or legislative district to be conducted by all mailed ballots at the county's discretion.

Emergency Preparedness, Emergency Response

21-23. SUPPORT legislation that would give local agencies more authority to train volunteers and help clean-up oil spills without taking on additional legal liability.

22-24. SUPPORT legislation that would require the state's Oil Spill Prevention and Response Agency to improve communication and clean-up technology, increase safety standards for ships and establish special protections for ecologically sensitive areas.

23-25. SUPPORT legislation that would require responses to future oil spills in a shorter timeframe, with a more regional approach.

24-26. SUPPORT measures that enable counties and other local agencies to better exercise their responsibilities to plan for and respond to emergencies and disasters without taking on additional legal liability and oppose those that do not recognize or support the county and local agency role in the State's Standardized Emergency Management System.

25-27. SUPPORT legislation or other measures requiring the creation **or utilization** of emergency rock stockpiles suitable for levee repair throughout the Delta, enabling increasingly efficient and less costly prevention of levee breaks and enhancement of initial response capabilities.

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Eminent Domain Issues

26-28. SUPPORT legislation that maintains the distinction in the California Constitution between Section 19, Article I, which establishes the law for eminent domain, and Section 7, Article XI, which establishes the law for legislative and administrative action to protect the public health, safety, and welfare.

27-29. SUPPORT legislation that would provide a comprehensive and exclusive basis in the California Constitution to compensate property owners when property is taken or damaged by state or local governments, without affecting legislative and administrative actions taken to protect the public health, safety, and welfare.

Flood Control and Clean Water Issues

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| ~~28-30~~. SUPPORT authorization for regional approaches to comply with aquatic pesticide permit issues under the purview of the State Water Resources Control Board. *Contra Costa County entered into an agreement with a neighboring county and several cities to share the costs of monitoring. While it makes sense for local government to pool resources to save money, State Board regulations make regional monitoring infeasible.*

| ~~29-31~~. SUPPORT efforts to provide local agencies with more flexibility and options to fund clean water programs. *Stormwater requirements issued by the Regional Water Quality Control Boards are becoming more and more expensive, yet there is no funding. Stormwater should be structured like a utility with the ability to set rates similar to the other two key water services: drinking water and wastewater.*

| ~~30-32~~. SUPPORT efforts to provide immunity to local public agencies for any liability for their clean-up of contaminations on private lands. *This will be more critical as the Regional Water Quality Control Boards institute Total Maximum Daily Loads, which establish a maximum allowable amount of a pollutant (like mercury) in the stormwater from a watershed.*

General Revenues/Finance Issues

As a political subdivision of the State, many of Contra Costa County's services and programs are the result of state statute and regulation. The State also provides a substantial portion of the County's revenues. However, the State has often used its authority to shift costs to counties and to generally put counties in the difficult position of trying to meet local service needs with inadequate resources. While Proposition 1A provided some protections for counties, vigilance is necessary to protect the fiscal integrity of the County.

| ~~34-33~~. SUPPORT the State's effort to balance its budget through actions that do not adversely affect County revenues, services or ability to carry out its governmental responsibilities.

| ~~32-34~~. OPPOSE any state-imposed redistribution, reduction or use restriction on general purpose revenue, sales taxes or property taxes unless financially beneficial to the County. *(Note that a redistribution of sales and property tax may be beneficial to Contra Costa County in the event that sales tax growth ~~continues~~ ~~lags~~ behind property tax growth.)*

| ~~33-35~~. OPPOSE efforts to limit local authority over transient occupancy taxes (TOT).

| ~~34-36~~. OPPOSE any efforts to increase the County's share-of-cost, maintenance-of-effort requirements or other financing responsibility for State mandated programs absent new revenues sufficient to meet current and future program needs.

| ~~35-37~~. SUPPORT efforts to ensure that Contra Costa County receives its fair share of State allocations, including mental health funding under Proposition 63 and pass-through of federal funds for anti-terrorism and homeland security measures. *The*

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State utilizes a variety of methods to allocate funds among counties, at times detrimental to Contra Costa County.

- | ~~36-38.~~ SUPPORT efforts to receive reimbursement for local tax revenues lost pursuant to sales and property tax exemptions approved by the Legislature and the State Board of Equalization.
- | ~~37-39.~~ SUPPORT continued efforts to reform the state/local relationship in a way that makes both fiscal and programmatic sense for local government and conforms to the adopted 2010 CSAC Realignment Principles, with an emphasis on maximum flexibility for counties to manage the existing and realigned discretionary programs.
- | ~~38-40.~~ SUPPORT efforts to relieve California of the federal Child Support penalties without shifting the cost of the penalties to the counties.
- | ~~39-41.~~ SUPPORT a reduction in the 2/3 vote requirement for special taxes that fund a comprehensive community plan developed by the county, cities and school districts that improve health, education and economic outcomes and reduce crime and poverty.
- | ~~40-42.~~ SUPPORT efforts to authorize counties to impose forfeitures for violations of ordinances, as currently authorized for cities. *This would provide the County with the opportunity to require deposits to assure compliance with specific ordinance requirements as well as retain the deposit if the ordinance requirements are not met. Currently, the County is limited to imposing fines which are limited to only \$100 - \$200 for the first violation, which has proven to be an ineffective deterrent in some cases.*
- | ~~41-43.~~ SUPPORT efforts to redefine the circumstances under which commercial and industrial property is reassessed to reduce the growing imbalance between the share of overall property tax paid by residential property owners versus commercial/industrial owners.
- | ~~42-44.~~ SUPPORT efforts to reduce County costs for Workers' Compensation, including the ability to control excessive medical utilization and litigation. *Workers' Compensation costs are significant, diverting funds that could be utilized for County services. Workers' Compensation should provide a safety net for injured employees, for a reasonable period of time, and not provide an incentive for employees to claim more time than medically necessary.*
- | ~~43-45.~~ SUPPORT state actions that maximize Federal and State revenues for county-run services and programs.
- | ~~44-46.~~ SUPPORT legislative compliance with both the intent and language of Proposition 1A.

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| 45-47. SUPPORT the provisions of Proposition 22 that would protect County revenues, particularly as related to transportation revenues and excluding those provisions related to redevelopment funds.

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| 46-48. SUPPORT full State funding of all statewide special elections, including recall elections.

| 47-49. OPPOSE efforts of the State to avoid state mandate claims through the practice of repealing the statutes, then re-enacting them. *In 2005, the State Legislature repealed sections of the Brown Act that were subject to mandate claims, then re-enacted the same language pursuant to a voter-approval initiative, and therefore, not subject to mandate claims.*

| 48-50. SUPPORT strong Public Utilities Commission (PUC) oversight of state-franchised providers of cable and telecommunications services, including rigorous review of financial reports and protection of consumer interests. *AB 2987 (Núñez), Chapter 700, statutes of 2006 transferred regulatory oversight authority from local government to the PUC.*

| 49-51. SUPPORT timely, full payments to counties by the State for programs operated on their behalf or by mandate. *The State currently owes counties over \$1 billion in State General Funds for social services program costs dating back to FY 2002-03.*

| 50-52. SUPPORT full State participation in funding the County's retiree and retiree health care unfunded liability. *Counties perform most of their services on behalf of the State and Federal governments. Funding of retiree costs should be the responsibility of the State, to the same extent that the State is responsible for operational costs.*

| 51-53. SUPPORT legislation that provides constitutional protections and guaranteed funding to counties under Realignment.

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Health Care Issues

Counties remain concerned about any health care reform that could transfer responsibility to counties, without commensurate financing structures or in a manner not compatible with the County's system. Counties support a concept of universal health coverage for all Californians. Toward that end, counties urge the state to enact a system of health coverage and care delivery that builds upon the strengths of the current systems in our state, including county-operated systems serving vulnerable populations.

Currently, California has a complex array of existing coverage and delivery systems that serve many, but not all, Californians. Moving this array of systems into a universal coverage framework is a complex undertaking that requires sound analysis, thoughtful and deliberative planning, and a multi-year implementation process. As California moves forward with health

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care reform, counties urge the State to prevent reform efforts from exacerbating problems with existing service and funding. The State must also consider the differences across California counties and the impacts of reform efforts on the network of safety-net providers, including county providers. The end result of health reform must provide a strengthened health care delivery system for all Californians, including those served by the safety net.

- | ~~52-54.~~ SUPPORT State action to increase access and affordability. *Access to care and affordability of care are critical components of any health reform plan. Expanding eligibility for existing programs will not provide access to care in significant areas of the state. Important improvements to our current programs, including Medi-Cal, must be made either prior to, or in concert with, a coverage expansion in order to ensure access. Coverage must be affordable for all Californians to access care.*
- | ~~53-55.~~ SUPPORT Medi-Cal reimbursement rate increases to incentivize providers to participate in the program.
- | ~~54-56.~~ SUPPORT administrative streamlining of Medi-Cal, including elimination of the asset test and semi-annual reporting and changes to income verification. *California should look to other states for ideas to reduce administrative costs, such as allowing all children born into Medi-Cal to remain on the program until age 21.*
- | ~~55-57.~~ SUPPORT actions that address provider shortages (including physicians, particularly specialists, and nurses). Innovative programs, such as loan forgiveness programs, should be expanded. In an effort to recruit physicians from other states, the licensing and reciprocity requirements should be re-examined. Steps should be taken to reduce the amount of time it takes to obtain a Medi-Cal provider number (currently six to nine months).
- | ~~56-58.~~ SUPPORT efforts that implement comprehensive systems of care, including case management, for frequent users of emergency care and those with chronic diseases and/or dual diagnoses. *Approaches could be modeled after current programs in place in safety net systems.*
- | ~~57-59.~~ SUPPORT efforts that provide sufficient time for detailed data gathering of current safety funding in the system and the impact of any redirection of funds on remaining county responsibilities. *The interconnectedness of county indigent health funding to public health, correctional health, mental health, alcohol and drug services and social services must be fully understood and accounted for in order to protect, and enhance as appropriate, funding for these related services.*
- | ~~58-60.~~ OPPOSE safety net funding transfers until an analysis of who would remain uninsured (e.g. medically indigent adults, including citizens, who cannot document citizenship under current Medicaid eligibility rules) is completed in order to adequately fund services for these populations.

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- | ~~59-61.~~ SUPPORT efforts to clearly define and adequately fund remaining county responsibilities.
- | ~~60-62.~~ SUPPORT State action to provide an analysis of current health care infrastructure (facilities and providers), including current safety net facilities across the state, to ensure that there are adequate providers and health care facilities, and that they can remain viable after health reform.
- | ~~61-63.~~ SUPPORT efforts to provide adequate financing for reforms to succeed.
- | ~~62-64.~~ SUPPORT measures that maximize Federal reimbursement from Medicaid and S-CHIP.
- | ~~63-65.~~ SUPPORT State action to complete actuarial studies on the costs of transferring indigent populations, who currently receive mostly episodic care, to a coverage model to ensure that there is adequate funding in the model.
- | ~~64-66.~~ SUPPORT efforts that ensure that safety net health care facilities remain viable during the transition period and be supported afterwards based on analyses of the changing health market and of the remaining safety net population.
- | ~~65-67.~~ SUPPORT State action to implement the 2010 Medi-Cal waiver in a manner that maximizes the drawdown of federal funds for services and facilities, provides flexibility, and ensures that counties receive their fair share of funding.
- | ~~66-68.~~ SUPPORT efforts to increase revenues and to contain mandated costs in the County's hospital and clinics system.
- | ~~67-69.~~ SUPPORT efforts to obtain a fair-share of any state funds in a distribution of funding for the integration of IHSS and managed care.
- | ~~68-70.~~ SUPPORT efforts to increase the availability of health care to the uninsured in California, whether employed or not.
- | ~~69-71.~~ SUPPORT legislation that improves the quality of health care, whether through the use of technology, innovative delivery models or combining and better accessing various streams of revenue, including but not limited to acute and long term care integration.
- | 72. SUPPORT legislation to protect safety net providers, both public and private. Legislation should focus on stabilizing Medi-Cal rates and delivery modes and should advocate that these actions are essential to the success of any effort to improve access and make health care more affordable.
- | 73. *SUPPORT efforts that allow counties to draw down federal Medicaid funds for providing confidential alcohol and drug screening and brief intervention services*

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~~to pregnant women and women of childbearing age who also qualify for Medi-Cal benefits.~~
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Currently there is no planned or organized system of care for young people and their families in need of alcohol and drug treatment services. Moreover there is a vast disparity between treatment need and treatment capacity for adolescents. Relative to the need and demand for this service, this is an area of the State's health care system that has been largely ignored.

| ~~74-74.~~ SUPPORT State efforts to increase the scope of benefits and reimbursement rates contained in Minor Consent Medi-Cal to give youth suffering from substance abuse disorders access to a continuum of care, including residential and one-on-one outpatient treatment.

| ~~72-75.~~ SUPPORT efforts to give incentives to providers to establish more youth-driven treatment facilities within the community.

| ~~73-76.~~ SUPPORT efforts to extend Minor Consent Medi-Cal Coverage to incarcerated youths, many of whom are in custody due to drug related crimes. *This could greatly decrease recidivism in the juvenile justice system.*

| ~~74-77.~~ SUPPORT county efforts in the promotion of partnerships that provide integrated responses to the needs of alcohol and drug populations, including criminal justice, perinatal and youth as well as those populations with co-occurring disorders.

| ~~75-78.~~ SUPPORT and encourage the development of strategies that include alcohol and drug services in the provision of all culturally appropriate health care services.

| ~~76-79.~~ SUPPORT the development and institutionalization of a tracking system for use on utilization and notification of Healthy Family substance abuse benefits for youths enrolled under California's Health Family program. *Like other youth in California, youth in Contra Costa County, are the most underserved population in the County's Alcohol and Other Drug (AOD) Services' caseloads. The Healthy Family initiative holds great potential as a funding source to address this major deficit in our AOD treatment services.*

| ~~80.~~ SUPPORT efforts to require coverage of medically necessary alcohol and substance abuse related disorder treatment on the same levels as other medical conditions in health care service plans and disability insurance policies. *Alcohol and drug treatment services are the most under-funded of all health services. Neither the state nor the federal allocations to the County covers medical treatment for AOD services, and so are a cost borne by the County.*

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Human Services Issues

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- | ~~78-81.~~ SUPPORT efforts to increase County flexibility in use of CalWORKs funds and in program requirements in order to better support the transition of welfare dependent families from welfare-to-work and self-sufficiency, including, but not limited to: extending supportive services beyond the current limit; enhancing supportive services; increasing diversion and early intervention to obviate the need for aid; developing a state earned income tax credit; expanding job retention services; developing an eligibility definition to 250% of the poverty level; and exempting the hard-to-serve from welfare-to-work activities and the 20% exemption or providing flexibility in the time limit (dependent upon terms and conditions of TANF reauthorization). Support efforts to align CalWORKs property and asset limitations with those of Food Stamps. *All of these measures would make it easier for CalWORKs families to enter employment services, become employed, and continue with the support they need in order to maintain their jobs.*
- | ~~79-82.~~ SUPPORT efforts to revise the definition of “homelessness” in the Welfare & Institutions Codes to include families who have received eviction notices due to a verified financial hardship, thus allowing early intervention assistance for CalWORKs families. *Current law prevents CalWORKs from providing homeless assistance until the CalWORKs family is actually “on the street.” This rule change would enable the County to work with CalWORKs families who are being threatened with homelessness to prevent the eviction and, presumably, better maintain the parents’ employment status.*
- | ~~80-83.~~ SUPPORT efforts to ensure funding of child care for CalWORKs and former CalWORKs families at levels sufficient to meet demand. The State of California has not fully funded the cost of child care for the “working poor.” *Additional funding would allow more CalWORKs and post-CalWORKs families to become and/or stay employed.*
- | ~~81-84.~~ SUPPORT efforts to establish an “umbrella code” for the reporting of incidents of elder abuse to the Department of Justice, thus more accurately recording the incidence of abuse. *Current reporting policies within California’s law enforcement community and social services departments are uncoordinated in regards to the reporting of adult abuse. Under an “umbrella code,” law enforcement agencies and social services departments would uniformly report incidents of elder abuse and California would have much better data for policy and budget development purposes.*
- | ~~82-85.~~ SUPPORT efforts that seek to identify and eliminate elder financial abuse and elder exposure to crime that may be committed through conservatorships, powers of attorney, notaries and others who have the right to control elder assets.

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| 83-86. SUPPORT efforts to effectively manage the In Home Supportive Services (IHSS) to establish and maintain cost control mechanisms while delivering quality, targeted services and maintaining program integrity. Efforts *may* include, but are not limited to, establishing an IHSS Volunteer Coordination component coupled with the rebalancing of available hours. Retired volunteer social workers and registered nurses could act as local Care Coordinators, enabling IHSS Social Workers to increase their capacity to perform more timely reassessments that would enable the management of available hours and target services to those clients most in need and at risk of institutionalization.

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| 84-87. SUPPORT efforts to eliminate the finger-imaging requirement for adult food stamp applicants, recognizing the fraud deterrent aspects of the Electronic Benefits Transfer System. *Elimination of the finger-imaging requirement, which was originally implemented as a fraud control measure in the old welfare programs, is viewed by many as an unnecessary or duplicate process. The current electronic benefits transfer system combined with program eligibility processes provides more fraud prevention/detection than does finger-imaging.*

| 85-88. SUPPORT efforts to allow phone-in Food Stamp Eligibility Redeterminations as a more cost effective benefit reassessment process. *As counties such as Contra Costa change their business models to utilize centralized service centers, some of the antiquated process rules and requirements also need to be changed, to allow cost efficient practices. Changing the rules to allow phone-ins for Eligibility Redeterminations is one example.*

| 86-89. SUPPORT efforts to continue expansion of Child Welfare Redesign Program Improvements including: use of Federal IV-E funding for pre-placement, prevention activities; development of caretaker recruitment and retention campaigns; extension of Independent Living Skill services to age 21; and, funding to implement Children's Child Welfare Workload Study Results, SB 2030. *Changes in these areas would enable counties to better meet their performance accountability goals, as required under Federal and State statutes.*

| 87-90. SUPPORT efforts to allow Medi-Cal clients transportation access to medical care via the most efficient transportation mode possible instead of the very costly ambulance transportation that is currently prevalent. *California is currently limited to the types of non-emergency medical transportation for reimbursement by Medi-Cal. However, the federal Medicaid program allows other much less costly forms of transportation to be used. Other states use this more permissive definition of approved non-emergency medical transportation to encourage Medicaid clients to receive preventative care and reduce the incidence of last-resort ambulance transportation to hospital emergency rooms for primary care.*

| 88-91. OPPOSE any legislation that increases tobacco taxes but does not contain language to replace any funds lost to The California Children and Families

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Act/Trust Fund for local services as currently funded by tobacco taxes, Prop 10 in 1998 and Prop 99.

| ~~89-92.~~ OPPOSE legislation, rules, regulations or policies that restrict or affect the amount of funds available to, or the local autonomy of, First 5 Commissions to allocate their funds in accordance with local needs.

| ~~90-93.~~ SUPPORT efforts to restore funding in the amount of \$80 Million for the Child Welfare Services Program that was line-item vetoed by Governor Schwarzenegger in the State's FY 2009-10 and FY 2010-11 budgets, as these reductions have a direct impact on local child protective services and the lives of children.

| ~~94-94.~~ SUPPORT efforts by the Contra Costa County's executive directors and program administrators of all Child Care and Development Programs to restore state budget allocations to the FY 2009-10 levels for the California State Preschool Program (CSPP), California Center-Based General Child Care Program (CCTR), CalWORKs Stage 2 (C2AP), CalWORKs Stage 3 (C3AP), Alternate Payment Program (CAPP), Child Care and Development Grant and the Child Care Retention Program (AB 212).

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Indian Gaming Issues

Contra Costa County is currently home to the Lytton Band of the Pomo Indians' Casino in San Pablo, a Class II gaming facility. There is also a proposal for an additional casino in North Richmond. Local governments have limited authority in determining whether or not such facilities should be sited in their jurisdiction; the terms and conditions under which the facilities will operate; and what, if any, mitigation will be paid to offset the cost of increased services and lost revenues. Contra Costa County has been active in working with CSAC and others to address these issues, as well as the need for funding for participation in the Federal and State review processes and for mitigation for the existing Class II casino.

| ~~92-95.~~ SUPPORT efforts to ensure that counties who have existing or proposed Class II Indian gaming facilities receive the Special Distribution Funds.

| ~~93-96.~~ CONSIDER, on a case by case basis, whether or not to SUPPORT or OPPOSE Indian gaming facilities in Contra Costa County, and only SUPPORT facilities that are unique in nature and can demonstrate significant community benefits above and beyond the costs associated with mitigating community impacts.

| ~~94-97.~~ OPPOSE the expansion or approval of Class III gaming machines at the existing gaming facility in Contra Costa County unless it can be demonstrated that there would be significant community benefits above and beyond the costs associated with mitigating community impacts.

| ~~95-98.~~ SUPPORT State authority to tighten up the definition of a Class II machine.

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| ~~96-99.~~ SUPPORT State legislative and administration actions consistent with the CSAC policy documents on development on Indian Lands and Compact negotiations for Indian gaming.

Land Use/Community Development Issues

| ~~97-100.~~ SUPPORT efforts to promote economic incentives for "smart growth," *in* *Priority Development Areas* including in-fill and transit-oriented development. *Balancing the need for housing and economic growth with the urban limit line requirements of Measure J (2004) will rely on maximum utilization of "smart growth" and Sustainable Community Strategy principles.*

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| ~~98-101.~~ SUPPORT efforts to increase the supply of affordable housing, including, but not limited to, state issuance of private activity bonds, affordable and low income housing bond measures, low-income housing tax credits and state infrastructure financing. *This position supports Goals 2, 3 and 4 of the County General Plan Housing Element.*

| ~~99-102.~~ SUPPORT establishment of a CEQA exemption for affordable housing financing. *Current law provides a statutory exemption from CEQA to state agencies for financing of affordable housing (Section 21080.10(b) of the California Public Resources Code and Section 15267 of the CEQA Guidelines)—but not to local agencies. The current exemption for state agencies is only operational if a CEQA review process has been completed by another agency (e.g., by the land use permitting agency). Since the act of financing does not change the environmental setting, the net effect of the exemption is streamlining the process for providing financial assistance for already approved projects. AB 2518 (Houston) in 2006 was a Contra Costa County-sponsored bill to accomplish this, but it was not successful in the Legislature.*

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| ~~100-103.~~ SUPPORT efforts to obtain a CEQA exemption or to utilize CEQA streamlining provisions for infill development *or Priority Development Areas, including* in unincorporated areas. Section 15332 of the CEQA Guidelines is a Categorical Exemption for infill development projects but only within cities *or unincorporated areas of a certain size surrounded by cities. The exemption should also include urbanized unincorporated areas. The proposal would affect the County's affordable housing, revitalization, and redevelopment programs in all unincorporated urbanized areas of the County. Without the exemption, housing projects in the unincorporated areas are subject to a more time-consuming and costly process in order to comply with the CEQA guidelines than that which is required of cities, despite having similar housing obligations. Regarding CEQA streamlining, SB 226 (Simitian) limits the provisions to cities and unincorporated islands. There may be good infill projects that should qualify for the SB 226 streamlining but do not simply because they are in a county but not an incorporated island.*

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| ~~404-104.~~ SUPPORT efforts to reform State housing element law to promote the actual production and preservation of affordable housing and to focus less on process and paper compliance.

| ~~402-105.~~ OPPOSE efforts to limit the County's ability to exercise local land use authority.

| ~~403-106.~~ SUPPORT efforts to reduce the fiscalization of land use decision-making by local government, which favors retail uses over other job-creating uses and housing. *Reducing incentives for inappropriate land use decisions, particularly those that negatively affect neighboring jurisdictions, could result in more rational and harmonious land use.*

| ~~404-107.~~ SUPPORT allocations, appropriations, and policies that support and leverage the benefits of approved Natural Community Conservation Plans (NCCPs), such as the East Contra Costa County NCCP. Support the granting of approximately \$20 million to the East Contra Costa County NCCP from the \$90 million allocation for NCCPs in Proposition 84. Support the position that NCCPs are an effective strategy for addressing the impacts of climate change and encourage appropriate recognition of the NCCP tool in implementation of climate change legislation such as SB 375 and AB 32. Promote effective implementation of NCCPs as a top priority for the Department of Fish and ~~Game~~Wildlife.

| ~~405-108.~~ ~~In light of the Supreme Court decision upholding ABx1 26, dissolving redevelopment agencies, SUPPORT reform of the redevelopment process, as appropriate.~~ Specifically, SUPPORT legislation that would give local agencies specific tools for economic development purposes in order to enhance job opportunities, with emphasis on attracting and retaining businesses, *blight removal* and promoting smart growth and affordable housing development, while balancing the impacts on revenues for health and safety programs.

| ~~109.~~ OPPOSE legislation that would create substantial uncertainty over the tax allocation bonds issued by redevelopment agencies and possible negative credit impact.

| ~~110.~~ *SUPPORT legislation to resolve the statutory gap in localities without a Successor Housing Agency (for the housing functions of its dissolved redevelopment agency) so that property owners with redevelopment agency loans can identify someone to sign real estate related documents such as subordination agreements and loan payoff demands. Such legislation should not have a negative impact on the localities general fund.*

| ~~406-111.~~ *SUPPORT legislative and regulatory efforts that streamline compliance with the California Environmental Quality Act (CEQA) by integrating it with other environmental protection laws and regulations, modifications to tiering of environmental reviews, expanding the application of prior environmental reviews.*

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focusing areas of potential CEQA litigation, and enhancing public disclosure and accountability. OPPOSE efforts that reduce environmental protections for projects that cross county or city boundaries.

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Law and Justice System Issues

~~407-112.~~ SUPPORT legislation that seeks to curb metal theft by making it easier for law enforcement agencies to track stolen metals sold to scrap dealers through such means as requiring identification from customers selling commonly stolen metals, banning cash transactions over a certain amount, and requiring scrap dealers to hold materials they buy for a certain period of time before melting them down or reselling them.

~~408-113.~~ SUPPORT legislation that provides a practical and efficient solution to addressing the problem of abandoned and trespassing vessels and ground tackle in an administrative process that allows the California State Lands Commission to both remove and dispose of such vessels and unpermitted ground tackle. *Boat owners in increasing numbers are abandoning both recreational and commercial vessels in areas within the Commission's jurisdiction. Our state waterways are becoming clogged with hulks that break up, leak, sink and add pollutants to our waterways and marine habitat.*

~~409-114.~~ OPPOSE legislative proposals to realign additional program responsibility to counties without adequate funding and protections.

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~~440-115.~~ OPPOSE legislation that would shift the responsibility of parolees from the state to the counties without adequate notification, documentation and funding.

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~~444-116.~~ SUPPORT legislation that will help counties implement the 2011 Public Safety Realignment as long as the proposal would: provide for county flexibility, eliminate redundant or unnecessary reporting, and would not transfer more responsibility without funding.

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Levee Issues, Sacramento-San Joaquin Delta Issues

Comment [LD3]: Edits forthcoming

The County's Delta Water Platform was developed in mid-2008 to consolidate and organize the many County policies and positions into one document that could be utilized to guide actions and advocacy to promote a healthy Sacramento-San Joaquin Delta.

The Delta Water Platform is comprised of fourteen subject areas. Each of these subject categories contains relevant policies and background explanatory language. Each subject category is summarized below; the first five are considered priorities. The policies and background information can be found in the Delta Water Platform, which is included in this document by reference:

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Short Term Actions to be implemented immediately: Includes a broad range of specific, relatively non-controversial actions to quickly improve the state of the Delta, such as improvements to levees, the fishery, habitat and emergency response.

Conveyance: Through-Delta and Isolated Conveyance: Consideration of isolated conveyance must protect and improve the Delta and the entire Bay-Delta ecosystem, include the broadest range of non-biased scientific analysis of impacts, include levee repair and all costs of a facility must be paid by beneficiaries.

The Delta Ecosystem: Protection and restoration of an ailing Delta ecosystem has long been a priority of the Board of Supervisors, including need for additional scientific research to address fundamental questions, fishery and habitat restoration projects.

Governance: A new or improved system of oversight related to ecosystem and water management is necessary. The existing Delta Protection Commission land use governance structure has been successful, requiring no further action. Local Government representation in any governance structure is paramount.

Levee Restoration: Advocacy for immediate and significant (multi-year) funding and levee repair is a priority, including upgrades to minimum (PL 84 99) standards for all levees, and a higher, 200-year level of protection for communities protected by levees. Stockpiling rock in the Delta specifically for levee repair and continuance of the Long Term Management Strategy (LTMS) are highly recommended.

Water Quality, Water Quality and Delta Outflow: Protection and improvement of water quality, quantity and outflow, determination and assurance of adequate water for the delta ecosystem and examination of the State and Federal project operations (including potential for reduced exports) are recommended here.

Flood Protection/Floodplain Management: Comprehensive flood management planning throughout the Delta and its watersheds, as well as funding to bring flood facilities to 200-year levels and revenue generation for flood control districts continue to be of import.

Water Rights and Legislative Protections: Existing area-of-origin and other water rights protections established for the Delta should be preserved.

Regional Self-Sufficiency: All export regions should be implementing all water supply options available to them to reduce stress on the Delta as a limited resource.

Emergency Response: Collaborative efforts among the Delta counties to improve emergency response in the region have been productive and are continuing.

Water Conservation: Landscape and household conservation, maximizing use of reclaimed wastewater, use of meters, and agricultural water conservation are recommended.

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Water Storage: *Multi-purpose storage facilities are recommended and groundwater storage preferred to surface storage options. Detailed groundwater studies are recommended.*

San Luis Drain/Grasslands Bypass: *Long-standing opposition to selenium discharges from this project entering the Delta and support of in-valley treatment solutions are ongoing. Continued reduction in drainage from the Grasslands Bypass project is also monitored.*

Climate Change: *Impacts of climate change must be considered in planning, engineering and construction activities.*

| ~~442-117.~~ 442-117. ADVOCATE for administrative and legislative action to provide significant funding for rehabilitation of levees in the western and central Delta. *Proposition 1E, passed in November 2006, provides for over \$3 billion for levees, primarily those in the Central Valley Flood Control Program. Language is included in the bond for other Delta levees but funding is not specifically directed. The County will work on a coalition basis to actively advocate for \$1 billion in funding through this bond.*

| ~~443-118.~~ 443-118. SUPPORT legislation that requires the levee repair funds generated by Proposition 1E be spent within one year. Many public agencies, including reclamation districts charged with maintaining levees, have complained about the state's inaction in allocating and distributing the levee funds that were raised by the bond sales authorized by Proposition 1E in 2008. Legislation could require the immediate distribution of these funds to local levee projects. The Delta Reform Act of 2009 authorized over \$202 million for levee repairs. It has been difficult to obtain explanations from the state as to why these funds are not being distributed.

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| ~~444-119.~~ 444-119. SUPPORT legislation to amend California Water Code Section 12986, to maintain the state/local funding ratio of 75/25 for the state's Delta Levees Subventions Program, which provides funds for local levee repair and maintenance projects. The code provisions that have the state paying 75 percent of project costs will expire on July 1, 2013. At that time the matching ratio will change to 50/50. This means local reclamation districts will have to pay a larger portion of project costs (50%, compared to their current 25% requirement). Many districts do not have the funding to do so. This legislative request could also include direction that the Delta Levees Subventions Program should continue to use funds from bonds or other dedicated sources, rather than the state's General Fund. For the past several years the program has been funded from bonds. When these bond funds run out, the program will have to be funded from the General Fund, unless some other new dedicated funding source is established. This is something that should be included in the next Water Bond, if and when there is one.

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| ~~445-120.~~ ADVOCATE for legislation dealing with the Delta, including levees and levee programs, level and type of flood protection, beneficiary-pays programs, flood insurance, liability and other levee/land use issues.

| ~~446-121.~~ SUPPORT legislation/regulation requiring Reclamation Districts to develop, publish, and maintain hazard emergency plans for their districts. *Emergency response plans are critical to emergency management, particularly in an area or situation like the Delta where a levee break could trigger other emergencies. This legislation/regulation should also include the requirement for plan review and annual distribution of the plan to the residents of the district, County Office of Emergency Services and other government agencies that have emergency response interests within the district.*

| ~~447-122.~~ SUPPORT legislation to amend California Water Code Section 85057.5 to bring the Delta Stewardship Council's "covered actions" land-use review process into consistency with CEQA. This section of state code defines a "covered action," which refers to local permit decisions that are subject to potential revocation by the Delta Stewardship Council, as proposed in the Council's Delta Plan. The proposed process works as follows: (1) if a local permit application meets the definition of a "covered action," the jurisdiction must evaluate it for consistency with all of the policies in the Stewardship Council's Delta Plan. (2) If the jurisdiction finds the project is consistent with the Delta Plan, they notify the Stewardship Council of this finding. (3) Anyone who objects to the project may appeal the consistency finding, and it will be up to the Stewardship Council to make the final decision. Should the Stewardship Council decide against the local jurisdiction, there is no appeal process available to the jurisdiction or project applicant other than legal action.

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"Covered actions" are defined in Section 85057.5 of the California Water Code. It defines them as plans, projects or programs as defined by CEQA, and then goes on to grant several exemptions to certain types of projects. It does not, however, provide exemptions for all the project types that CEQA itself exempts. CEQA provides a lengthy list of categorical exemptions for plans, projects and programs that generally do not have significant environmental impacts, and projects that have compelling reasons to move forward quickly (such as public safety projects). The entire list of categorical exemptions from CEQA also should be exempt from the Delta Stewardship Council's "covered actions" process.

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Library Issues

| ~~448-123.~~ SUPPORT State financial assistance in the operation of public libraries, including full funding of the Public Library Fund (PLF) and the Direct/Interlibrary Loan (Transaction Based Reimbursement) program.

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- | ~~419-124.~~ SUPPORT State bonds for public library construction. The 2000 library construction bond provided funding for two libraries in Contra Costa County. There is currently a need of approximately \$289,000,000 for public library construction, expansion and renovation in Contra Costa County.
- | ~~420-125.~~ SUPPORT continued funding for the California Library Literacy and English Acquisition Services Program, which provides matching funds for public library adult literacy programs that offer free, confidential, one-on-one basic literacy instruction to English-speaking adults who want to improve their reading, writing, and spelling skills.

Telecommunications Issues

- | ~~424-126.~~ SUPPORT clean-up legislation on AB 2987 that provides for local emergency notifications similar to provisions in cable franchises for the last 20 years. *Currently our franchises require the cable systems to carry emergency messages in the event of local emergencies. With the occurrence of several local refinery incidents, this service is critical for Contra Costa. Under federal law, Emergency Alert System requirements leave broad discretion to broadcasters to decide when and what information to broadcast, emergency management offices to communicate with the public in times of emergencies.*
- | ~~422-127.~~ SUPPORT preservation of local government ownership and control of the local public rights-of-way. *Currently, local government has authority over the time, place, and manner in which infrastructure is placed in their rights-of-way. The California Public Utilities Commission is considering rulemaking that would give them jurisdiction to decide issues between local government and telecommunication providers.*

Transportation Issues

- | ~~423-128.~~ SUPPORT increased flexibility in the use of transportation funds. The County supports an amendment to the Subdivision Map Act to allow the use of off-site transportation impact fees to fund pedestrian, bicycle transit and traffic calming facilities necessitated by new development. The Act currently limits the use of these funds to improvements to bridges and "major thoroughfares." Senator DeSaulnier introduced such a bill in 2008. The County's proposal was adopted by CSAC for its legislative platform in the 2011 session. The proposal would provide more flexibility in how we can use an existing transportation funding source.
- | ~~424-129.~~ SUPPORT regional coordination that provides for local input in addressing transportation needs. *Coordinated planning and delivery of public transit, paratransit, and rail services will help ensure the best possible service delivery to the public. Regional coordination also will be needed to effectively deal with the traffic impacts of Indian gaming casinos such as those in West County. Regional*

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coordination also will be essential to complete planning and development of important regional transportation projects that benefit the state and local road system such as State Route 239, improvements to Vasco Road, completion of remaining segments of the Bay Trail, improvements to the Delta DeAnza Regional Trail, and the proposed California Delta Trail. There may be interest in seeking enhanced local input requirements for developing the Sustainable Communities Strategy for the Bay Area mandated by SB 375 for greenhouse gas reduction. It is important that the regional coordination efforts are based on input gathered from the local level, to ensure the regional approach does not negatively impact local communities. "Top-down" regional planning efforts would be inconsistent with this goal.

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| ~~425-130.~~ SUPPORT efforts to improve safety throughout the transportation system.

The County supports new and expanded projects and programs to improve safety for bicyclists, pedestrians and wheelchair users, as well as projects to improve safety on high-accident transportation facilities such as Vasco Road. Data on transportation safety would be improved by including global positioning system (GPS) location data for every reported accident to assist in safety analysis and planning. The County also supports school safety improvement programs such as crossing guards, Safe Routes to Schools (SR2S) grants, efforts to improve the safety and security of freight transportation system including public and private maritime ports, airports, rail yards, railroad lines and sidings. The County also supports limits or elimination of public liability for installing traffic-calming devices on residential neighborhood streets.

| ~~426-131.~~ SUPPORT funding or incentives for the use of renewable resources in transportation construction projects. *The County seeks and supports grant programs, tax credits for manufacturers, state purchasing programs, and other incentives for local jurisdictions to use environmentally friendly materials such as the rubberized asphalt (made from recycled tires) that the County has used as paving material on San Pablo Dam Road and Pacheco Boulevard.*

| ~~427-132.~~ SUPPORT streamlining the delivery of transportation safety projects. *The length of time and amount of paperwork should be reduced to bring a transportation safety project more quickly through the planning, engineering and design, environmental review, funding application, and construction phases, such as for Vasco Road. This could include streamlining the environmental review process and also streamlining all state permitting requirements that pertain to transportation projects. Realistic deadlines for use of federal transportation funds would help local jurisdictions deliver complex projects without running afoul of federal time limits which are unrealistically tight for complex projects.*

| ~~133.~~ SUPPORT efforts to coordinate development of state-funded or regulated facilities such as courts, schools, jails, roads and state offices with local planning.

The County supports preserving the authority of Public Works over County roads

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by way of ensuring the Board of Supervisors' control over County roads as established in the Streets & Highways Code (Ch2 §940) is not undermined.

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~~128-134.~~ ~~The County supports~~SUPPORT efforts to ~~coordinating~~ coordinate planning between school districts and local jurisdictions in locating and planning new schools and funding programs that foster collaboration and joint use of facilities to help finance off-site transportation improvements for access to schools. *The County supports the California Department of Education's current effort to better leverage school facilities in developing sustainable communities. Related to this effort, the County supports reform of school siting practices by way of legislative changes related to any new statewide school construction bond authorization.*

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~~129-135.~~ SUPPORT regional aviation transportation planning efforts for coordinated aviation network planning to improve service delivery. Regional aviation coordination could also improve the surrounding surface transportation system by providing expanded local options for people and goods movement.

~~130-136.~~ SUPPORT efforts to increase waterborne transport of goods and obtaining funds to support this effort. *The San Francisco to Stockton Ship Channel is a major transportation route for the region, providing water access to a large number of industries and the Ports of Sacramento and Stockton. A project is underway to deepen the channel, providing additional capacity to accommodate increasing commerce needs of the Ports and providing better operational flexibility for the other industries. Increased goods movement via waterways has clear benefits to congestion management on highways and railroads (with resultant air quality benefits).*

Waste Management

~~131-137.~~ SUPPORT legislation that establishes producer responsibility for management of their products at the end of their useful life.

~~132-138.~~ SUPPORT efforts to increase the development of markets for recycled materials.

~~133-139.~~ SUPPORT legislative and regulatory efforts to allow third parties, under specific circumstances and conditions, to collect and transport household hazardous waste to collection facilities.

~~134-140.~~ SUPPORT legislation that seeks to remedy the environmental degradation and solid waste management problems on a State-wide basis of *polystyrene containers and* single-use plastic bags typically given away for free at grocer, retail and other establishments.

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~~135-141.~~ SUPPORT legislation that does not require increased diversion from landfills without an adequate funding mechanism.

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142. SUPPORT legislation that would make changes to the used tire redemption program. Instead of collecting a disposal fee from the consumer when new tires are purchased, a disposal fee would be collected at the wholesale level and redeemed by the disposal site when the used tires are brought to the site. The party bringing the tires to the disposal site would also receive a portion of the fee.

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143. *SUPPORT legislation that relieves counties with privately-operated landfills from the state requirement for maintaining a 15-year supply of disposal capacity for waste generated within each county. In 1989, Contra Costa County amended its general plan to accommodate construction of Keller Canyon Landfill. Due to the difficulty in siting landfills and the requirements of Public Resources Code 47100 – Countywide Siting Element, the County maintained authority to control the amount of waste disposed at this facility from outside the county. Despite Contra Costa County's opposition, AB 845 will become law on January 1, 2013 and prohibit any jurisdiction from regulating the amount of waste disposed at a privately-operated landfill based on its place of origin. Since local jurisdictions can no longer control importation of waste to privately-operated landfills, the host County will have a greater need to undertake the difficult task of identifying new disposal capacity pursuant to the Countywide Siting Element requirement. Since the state believes there is no need for local jurisdictions to regulate disposal of solid waste by place of origin, the state should remove existing statutes that require each County with privately-operated landfills to identify sufficient disposal capacity for the waste generated by the jurisdictions within that County.*

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144. *SUPPORT legislation that can reduce the amount of harmful pharmaceuticals that ultimately enter waste water treatment facilities and landfills.*

145. *SUPPORT legislative and regulatory efforts to restrict payments from the Beverage Container Recycling Program Fund for redemption of beverage containers sold out of state. Fraudulent redemption of these beverage containers is costing the Fund from \$40 million to \$200 million annually. This fraud combined with loans to the General Fund to reduce the State budget deficit has significantly reduced the availability of funds for increasing recycling as intended under the law.*

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~~136-146.~~ *SUPPORT legislative and regulatory efforts that correct the imbalance between the County's regulatory authority to control the collection and disposal of solid waste generated within the unincorporated areas and our exposure to state penalties for failing to meet state mandates for diverting solid waste generated within these areas as a result of Appellate Court decisions. These decision awarded solid waste franchise authority to the Rodeo Sanitary District and Mountain View Sanitary District while the County remains exposed to state*

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Contra Costa County
| ~~DRAFT 20123~~ State Platform

penalties for failing to meet state mandates for reducing solid waste generated in these areas.

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2013 STATE LEGISLATIVE PLATFORM CONTRA COSTA COUNTY

Each year, the Board of Supervisors adopts a State Legislative Platform that establishes priorities and policy positions with regard to potential State legislation and regulation. The State Legislative Platform includes County-sponsored bill proposals as needed; legislative or regulatory advocacy priorities for the year; and policies that provide direction and guidance for identification of bills which would affect the services, programs or finances of Contra Costa County.

LEGISLATIVE/REGULATORY ADVOCACY PRIORITIES

Each year, issues emerge through the legislative process that are of importance to the County and require advocacy efforts. For 2013, it is anticipated that critical issues requiring legislative advocacy will include the following:

1. State Budget – A slow economic recovery continues to plague the state and hamper the ability to fund core services. In 2012-13, State General Fund and Education Protection Account revenues are estimated at \$95.9 billion, an increase of \$9 billion, or about 10 percent, over the estimated 2011-12 level. Under the 2012-13 spending plan, the General Fund and the Education Protection Account would have a combined 2011-12 year-end deficit of about \$3.6 billion. Further, there remain significant risks and uncertainty to the state's fiscal health, including ongoing debt obligations, pension liabilities, and uncertainties associated with the continuing debate on addressing the federal budget deficit. To address the deficit, the Governor proposed a combination of spending reductions and temporary taxes (via ballot initiative) to both balance the budget and establish a \$948 million reserve. The Governor also proposed a new round of trigger cuts slated to take effect if his ballot initiative fails.

The long-standing practice of state government has been to look to counties as a means of balancing its budget. While opportunities to do so are more limited with the passage of Proposition 1A, the magnitude of the deficit makes it certain the State will be creative in their efforts to include counties as part of its budget balancing solution, likely through additional program re-alignment and revenue reductions.

Of particular concern to counties is the inadequate reimbursement for our increasing cost of operating several human services programs: the "Human Services Funding Deficit," formerly referred to as the "Cost of Doing Business." The annual shortfall between actual county expenses and State reimbursement has grown to over \$1 billion since 2001, creating a de facto cost shift to counties. The funding gap forces counties to reduce services to vulnerable populations and/or divert scarce county resources from other critical local services. It also increases the risk of State and Federal penalties.

2. Health Care – Counties have a high stake in California’s health reform efforts. Counties serve as employers, payers, and providers of care to vulnerable populations. Consequently, counties stand ready to actively participate in discussions of how to best reform the health care system in California and implement the national health care reform legislation passed in 2010. The County will work on the implementation of required Health Care Reform measures to maximize Federal revenue. The County will support efforts to provide counties with the necessary tools to implement Health Care Reform which may include counties performing eligibility and enrollment, preserving existing county resources from 1991 Realignment, providing for a smooth transition in 2014 for the various operational systems, and supporting legislation to ensure that low-income families are covered under the Affordable Care Act. In addition, the County will work to reduce uncompensated health care costs.

3. Water and Levees /The Sacramento-San Joaquin Delta – The Legislature’s passing of the Delta Reform Act (2009), a package of bills which established among other things, co-equal goals for reliable water supply and ecosystem restoration for the Delta, as well as the proposed Bay Delta Conservation Plan (BDCP)--an effort to construct a massive peripheral canal/tunnel-- will require significant, large-scale change to the Delta as we know it today. The scope and content of these changes and continuing political battles between north and south over water will continue to dominate legislative and administrative agendas in the coming year.

Significant future impacts upon the County in the areas of water quality and supply, levees, ecosystem, governance and flood control are anticipated. Additionally, a water bond has been delayed from the November 2012 ballot. Consideration should be given to the potential for the County to sponsor Delta-related legislation through our legislative delegation. The County may also work with the Delta Counties Coalition (DCC) to sponsor Delta-related legislation. Particular areas of concern for 2013 include, but are not limited to, impacts of Delta plans on local land use authority and expediting state bond funding for levee improvement projects. The County’s adopted Delta Water Platform, as well as the Strategic and Action Plans, are incorporated in this Platform by reference.

4. Constitutional Protections and Realignment Implementation – Since the 2011 Public Safety Realignment package passed in June 2011 without the constitutional protections requested by counties, one of the central goals of counties is to support efforts to achieve the constitutional protections that guarantee a dedicated on-going revenue stream and include provisions protecting counties against future actions by the Legislature, the courts, federal mandates and penalties, regulations or executive orders that increase county costs for Realignment. If Proposition 30 does not pass, counties will continue to work with the Governor to follow through on his promise to secure constitutional protections for counties. Counties will also support efforts to ensure that the receipt of Local Community Corrections Funds matches the amounts anticipated from the State, without undue delay.

With regard to Public Safety realignment, the County will support efforts that facilitate the smooth transition of prisoners and parolees at the county level. Counties have received parolees whose latest crime fits the specified “non-violent, non-serious, non-sex offender” (N3) definition, but who have a criminal background that includes violent, serious and/or sexual crimes. Under the current legislation, the person’s latest offense/crime determines if they meet the N3 criteria. However, counties have received people who have a very violent background. Specifically, a change would be requested to prevent those whose total criminal background does not meet the N3 criteria. These individuals should stay under the responsibility of the State.

The County will also support efforts to provide additional funding/grants to those counties that have a commitment to lowering the crime rate and reducing recidivism through the provision of innovative, comprehensive, evidence-based programs for offender populations and their families.

Any future proposals to realign programs to counties must have constitutionally guaranteed ongoing funding and protections. The County will oppose any proposals that will transfer additional program responsibility to counties without funding and protections.

STATE PLATFORM POLICY POSITIONS

A brief background statement accompanies policy positions that are not self-evident. Explanatory notes are included either as the preface to an issue area or following a specific policy position. Please note that new and revised policy positions are highlighted and in italics. The rationale for the policy position is italicized.

Agricultural Issues

1. SUPPORT efforts to ensure sufficient State funding for pest and disease control and eradication efforts to protect both agriculture and the native environment, including glassy-winged sharpshooter, light brown apple moth, and Japanese dodder activities; high risk pest exclusion activities; pesticide regulatory and law enforcement activities; and noxious weed pest management. *Agriculture is an important industry in Contra Costa County. Protection of this industry from pests and diseases is important for its continued viability.*
2. SUPPORT continued appropriations for regulation and research on sudden oak death, a fungal disease affecting many species of trees and shrubs in native oak woodlands. *The County’s natural environment is being threatened by this disease.*
3. SUPPORT funding for agricultural land conservation programs and agricultural enterprise programs to protect and enhance the viability of local agriculture. *The growth in East County and elsewhere has put significant pressure on agricultural lands, yet agriculture is important not only for its production of fresh fruits, vegetables and livestock, but also as a source of open space.*

4. SUPPORT legislation to establish legal authority where needed to facilitate the efforts by the California Department of Food and Agriculture and the Department of Boating and Waterways to survey and treat all incipient infestations of the South American spongeplant and a continued long-term effort to rid the Delta of this and other invasive species. *Invasive aquatic species are a threat to agriculture, the environment and recreation in the Delta.*
5. SUPPORT the CSAC policy statement regarding revisions to the California Conservation Act of 1965 (aka Williamson Act) to support legislative changes that preserve the integrity of the Williamson Act, eliminate abuses resulting in unjustified and premature conversions of contracted land for development, and to fully restore Williamson Act subventions. The state subventions to counties also must be revised to recognize all local tax losses.

Animal Services Issues

6. SUPPORT efforts to protect local revenue sources designated for use by the Animal Services Department; i.e., animal licensing, fines and fees. *Fines, fees, and licensing are major sources of revenue for the Animal Services Department. The demand for animal services is increasing each year as does the demand on the General Fund. It is important to protect these revenue sources to continue to provide quality animal service and to meet local needs.*
7. SUPPORT efforts to protect or increase local control and flexibility over the scope and level of animal services. *Local control over the scope of animal services is necessary to efficiently address public safety and other community concerns. Local control affords jurisdictions the ability to tailor animal service programs to fit their communities. Animal related issues in dense urban areas vary from those in small, affluent communities.*
8. SUPPORT efforts to protect against unfunded mandates in animal services or mandates that are not accompanied by specific revenue sources which completely offset the costs of the new mandates, both when adopted and in future years. *Unfunded mandates drain our limited fiscal resources and, at the same time, chip away at local control over the scope and level of services.*
9. SUPPORT efforts to ensure full funding of State animal services mandates, including defense of the Department of Finance's lawsuit against the State Commission on Mandates regarding the State obligations for reimbursement of local costs for animal services incurred in compliance with SB 1785. *The County invested large sums of money to comply with SB 1785, with the assurance that our cost would be offset by reimbursements from the State. Failure by the State to honor the reimbursements negatively impacts the County General Fund and Animal Services' budget.*

10. SUPPORT efforts to protect and/or increase County flexibility to provide animal services consistent with local needs and priorities. *The demand for quality animal service programming continues to increase each year. The County is experiencing population growth and changing demographics. It is incumbent upon the Animal Services Department to be flexible enough to adjust to the changing needs and priorities.*
11. SUPPORT efforts to preserve the integrity of existing County policy relating to Animal Services (e.g., the Animal Control Ordinance and land use requirements). *Contra Costa is looked upon as one of the model Animal Services Departments in the state. Its policies, procedures, and ordinances are the yardstick against which other Animal Control organizations are measured. The local control exercised by the Board of Supervisors is key to that hallmark.*

Child Support Services Issues

12. SUPPORT the establishment of a statewide electronic registry for the creation and release/satisfaction of liens placed on property of a non-custodial parent as necessary to collect delinquent child support payments. *California law currently provides that recording an abstract or notice of support judgment with a County Recorder creates a lien on real property. This requires recording the judgment in each of the 58 counties in order not to miss a property transaction. An electronic registry would simplify not only the creation of liens but also the release/satisfaction of liens because there would be a single statewide point of contact, and the entire process would be handled electronically through automated means.*
13. SUPPORT amendment of current law that states that documents completed and recorded by a local child support agency may be recorded without acknowledgement (notarization) to clarify that the exception is for documents completed or recorded by a local child support agency. *This amendment clarifies that documents that are prepared by the local child support agency and then sent for recording either by the local child support agency or by the obligor (non-custodial parent) or by a title insurance company are covered by the exemption, a technical point not acknowledged by all county recorder offices.*
14. SUPPORT efforts to simplify the court process for modifying child support orders by the court by requiring court appearances only when one of the parties objects to the modification. *Currently, establishment of parentage and support by the court is permitted without court appearance if both parties are in agreement. A similar process for modification would reduce court time, the workload of all involved agencies and parties, and streamline the process.*
15. SUPPORT efforts to ensure that the reduction caused by the federal Deficit Reduction Act of 2005 to the California Department of Child Support Services is not passed down as a reduction to the local program. *The Act places a*

restriction on the ability of states to use incentive funds as the state match to draw additional federal funds. In previous years, California used its \$30 million in federal funds in child support programs.

16. SUPPORT efforts that would require the Department of Child Support Services to provide any notice form, information, or document that is required or authorized to be given, distributed, or provided to an individual, a customer, or a member of the public to be given, distributed, or provided in a digitized form, and by any means the Department determines is feasible, including, but not limited to, e-mail or by means of a web site.

Climate Change Issues

17. SUPPORT the CSAC *Climate Change Policy Statements and Principles* which address a broad range of issues affected by climate change, including water, air quality, agriculture, forestry, land use, solid waste, energy and health. *The document is largely based on existing CSAC policy and adapted to climate change. Additionally, the document contains a set of general principles which establish local government as a vital partner in the climate change issue and maintain that counties should be an active participant in the discussions in the development of greenhouse gas reduction strategies underway at the state and regional level.*
18. SUPPORT efforts to ensure that the implementation of AB 32 results in harmony among the greenhouse gas reduction target created by the Air Resources Board for each regional/local agency, the housing needs numbers provided by the state Department of Housing and Community Development pursuant to housing element law, the Sustainable Communities Strategy, and the Regional Transportation Plan processes.
19. **SUPPORT legislative or administrative efforts that favor allocation of funding from the California Greenhouse Gas Cap and Trade Program to jurisdictions that are the largest emitters of greenhouse gas.**

Elections Issues

20. SUPPORT legislation to adjust precinct sizing from 1,000 voters per precinct to 1,250 voters per precinct. *With the option of being able to have up to 1,250 voters per precinct, the best polling locations in a neighborhood can be selected, and that same site is more likely to be used for several elections, thus avoiding the need to change poll sites for voters.*
21. SUPPORT full state reimbursement for state mandates imposed upon local registrars by the Secretary of State, including special state elections. *The state has committed to reimburse Counties for the cost of certain state mandates. That reimbursement process, SB 90, can be lengthy and contentious. The SB 90*

process is also subject to uncertainties including partial payments, delayed payments, and now, suspended or no payments. In lieu of the SB 90 process for Elections, there is merit in the examination of having the state pay its pro-rata share of costs when state candidates/measures are on the ballot.

22. SUPPORT legislation that would add provisions to the state Elections Code that would allow special elections to fill a vacancy in a congressional or legislative district to be conducted by all mailed ballots at the county's discretion.

Emergency Preparedness, Emergency Response

23. SUPPORT legislation that would give local agencies more authority to train volunteers and help clean-up oil spills without taking on additional legal liability.
24. SUPPORT legislation that would require the state's Oil Spill Prevention and Response Agency to improve communication and clean-up technology, increase safety standards for ships and establish special protections for ecologically sensitive areas.
25. SUPPORT legislation that would require responses to future oil spills in a shorter timeframe, with a more regional approach.
26. SUPPORT measures that enable counties and other local agencies to better exercise their responsibilities to plan for and respond to emergencies and disasters without taking on additional legal liability and oppose those that do not recognize or support the county and local agency role in the State's Standardized Emergency Management System.
27. SUPPORT legislation or other measures requiring the creation **or utilization** of emergency rock stockpiles suitable for levee repair throughout the Delta, enabling increasingly efficient and less costly prevention of levee breaks and enhancement of initial response capabilities.

Eminent Domain Issues

28. SUPPORT legislation that maintains the distinction in the California Constitution between Section 19, Article I, which establishes the law for eminent domain, and Section 7, Article XI, which establishes the law for legislative and administrative action to protect the public health, safety, and welfare.
29. SUPPORT legislation that would provide a comprehensive and exclusive basis in the California Constitution to compensate property owners when property is taken or damaged by state or local governments, without affecting legislative and administrative actions taken to protect the public health, safety, and welfare.

Flood Control and Clean Water Issues

30. SUPPORT authorization for regional approaches to comply with aquatic pesticide permit issues under the purview of the State Water Resources Control Board. *Contra Costa County entered into an agreement with a neighboring county and several cities to share the costs of monitoring. While it makes sense for local government to pool resources to save money, State Board regulations make regional monitoring infeasible.*
31. SUPPORT efforts to provide local agencies with more flexibility and options to fund clean water programs. *Stormwater requirements issued by the Regional Water Quality Control Boards are becoming more and more expensive, yet there is no funding. Stormwater should be structured like a utility with the ability to set rates similar to the other two key water services: drinking water and wastewater.*
32. SUPPORT efforts to provide immunity to local public agencies for any liability for their clean-up of contaminations on private lands. *This will be more critical as the Regional Water Quality Control Boards institute Total Maximum Daily Loads, which establish a maximum allowable amount of a pollutant (like mercury) in the stormwater from a watershed.*

General Revenues/Finance Issues

As a political subdivision of the State, many of Contra Costa County's services and programs are the result of state statute and regulation. The State also provides a substantial portion of the County's revenues. However, the State has often used its authority to shift costs to counties and to generally put counties in the difficult position of trying to meet local service needs with inadequate resources. While Proposition 1A provided some protections for counties, vigilance is necessary to protect the fiscal integrity of the County.

33. SUPPORT the State's effort to balance its budget through actions that do not adversely affect County revenues, services or ability to carry out its governmental responsibilities.
34. OPPOSE any state-imposed redistribution, reduction or use restriction on general purpose revenue, sales taxes or property taxes unless financially beneficial to the County. *(Note that a redistribution of sales and property tax may be beneficial to Contra Costa County in the event that sales tax growth lags behind property tax growth.)*
35. OPPOSE efforts to limit local authority over transient occupancy taxes (TOT).
36. OPPOSE any efforts to increase the County's share-of-cost, maintenance-of-effort requirements or other financing responsibility for State mandated programs absent new revenues sufficient to meet current and future program needs.

37. SUPPORT efforts to ensure that Contra Costa County receives its fair share of State allocations, including mental health funding under Proposition 63 and pass-through of federal funds for anti-terrorism and homeland security measures. *The State utilizes a variety of methods to allocate funds among counties, at times detrimental to Contra Costa County.*
38. SUPPORT efforts to receive reimbursement for local tax revenues lost pursuant to sales and property tax exemptions approved by the Legislature and the State Board of Equalization.
39. SUPPORT continued efforts to reform the state/local relationship in a way that makes both fiscal and programmatic sense for local government and conforms to the adopted 2010 CSAC Realignment Principles, with an emphasis on maximum flexibility for counties to manage the existing and realigned discretionary programs.
40. SUPPORT efforts to relieve California of the federal Child Support penalties without shifting the cost of the penalties to the counties.
41. SUPPORT a reduction in the 2/3 vote requirement for special taxes that fund a comprehensive community plan developed by the county, cities and school districts that improve health, education and economic outcomes and reduce crime and poverty.
42. SUPPORT efforts to authorize counties to impose forfeitures for violations of ordinances, as currently authorized for cities. *This would provide the County with the opportunity to require deposits to assure compliance with specific ordinance requirements as well as retain the deposit if the ordinance requirements are not met. Currently, the County is limited to imposing fines which are limited to only \$100 - \$200 for the first violation, which has proven to be an ineffective deterrent in some cases.*
43. SUPPORT efforts to redefine the circumstances under which commercial and industrial property is reassessed to reduce the growing imbalance between the share of overall property tax paid by residential property owners versus commercial/industrial owners.
44. SUPPORT efforts to reduce County costs for Workers' Compensation, including the ability to control excessive medical utilization and litigation. *Workers' Compensation costs are significant, diverting funds that could be utilized for County services. Workers' Compensation should provide a safety net for injured employees, for a reasonable period of time, and not provide an incentive for employees to claim more time than medically necessary.*
45. SUPPORT state actions that maximize Federal and State revenues for county-run services and programs.

46. SUPPORT legislative compliance with both the intent and language of Proposition 1A.
47. SUPPORT the provisions of Proposition 22 that would protect County revenues, particularly as related to transportation revenues and excluding those provisions related to redevelopment funds.
48. SUPPORT full State funding of all statewide special elections, including recall elections.
49. OPPOSE efforts of the State to avoid state mandate claims through the practice of repealing the statutes, then re-enacting them. *In 2005, the State Legislature repealed sections of the Brown Act that were subject to mandate claims, then re-enacted the same language pursuant to a voter-approval initiative, and therefore, not subject to mandate claims.*
50. SUPPORT strong Public Utilities Commission (PUC) oversight of state-franchised providers of cable and telecommunications services, including rigorous review of financial reports and protection of consumer interests. *AB 2987 (Núñez), Chapter 700, statutes of 2006 transferred regulatory oversight authority from local government to the PUC.*
51. SUPPORT timely, full payments to counties by the State for programs operated on their behalf or by mandate. *The State currently owes counties over \$1 billion in State General Funds for social services program costs dating back to FY 2002-03.*
52. SUPPORT full State participation in funding the County's retiree and retiree health care unfunded liability. *Counties perform most of their services on behalf of the State and Federal governments. Funding of retiree costs should be the responsibility of the State, to the same extent that the State is responsible for operational costs.*
53. SUPPORT legislation that provides constitutional protections and guaranteed funding to counties under Realignment.

Health Care Issues

Counties remain concerned about any health care reform that could transfer responsibility to counties, without commensurate financing structures or in a manner not compatible with the County's system. Counties support a concept of universal health coverage for all Californians. Toward that end, counties urge the state to enact a system of health coverage and care delivery that builds upon the strengths of the current systems in our state, including county-operated systems serving vulnerable populations.

Currently, California has a complex array of existing coverage and delivery systems that serve many, but not all, Californians. Moving this array of systems into a universal coverage framework is a complex undertaking that requires sound analysis, thoughtful and deliberative planning, and a multi-year implementation process. As California moves forward with health care reform, counties urge the State to prevent reform efforts from exacerbating problems with existing service and funding. The State must also consider the differences across California counties and the impacts of reform efforts on the network of safety-net providers, including county providers. The end result of health reform must provide a strengthened health care delivery system for all Californians, including those served by the safety net.

54. SUPPORT State action to increase access and affordability. *Access to care and affordability of care are critical components of any health reform plan. Expanding eligibility for existing programs will not provide access to care in significant areas of the state. Important improvements to our current programs, including Medi-Cal, must be made either prior to, or in concert with, a coverage expansion in order to ensure access. Coverage must be affordable for all Californians to access care.*
55. SUPPORT Medi-Cal reimbursement rate increases to incentivize providers to participate in the program.
56. SUPPORT administrative streamlining of Medi-Cal, including elimination of the asset test and semi-annual reporting and changes to income verification. *California should look to other states for ideas to reduce administrative costs, such as allowing all children born into Medi-Cal to remain on the program until age 21.*
57. SUPPORT actions that address provider shortages (including physicians, particularly specialists, and nurses). Innovative programs, such as loan forgiveness programs, should be expanded. In an effort to recruit physicians from other states, the licensing and reciprocity requirements should be re-examined. Steps should be taken to reduce the amount of time it takes to obtain a Medi-Cal provider number (currently six to nine months).
58. SUPPORT efforts that implement comprehensive systems of care, including case management, for frequent users of emergency care and those with chronic diseases and/or dual diagnoses. *Approaches could be modeled after current programs in place in safety net systems.*
59. SUPPORT efforts that provide sufficient time for detailed data gathering of current safety funding in the system and the impact of any redirection of funds on remaining county responsibilities. *The interconnectedness of county indigent health funding to public health, correctional health, mental health, alcohol and drug services and social services must be fully understood and accounted for in order to protect, and enhance as appropriate, funding for these related services.*

60. OPPOSE safety net funding transfers until an analysis of who would remain uninsured (e.g. medically indigent adults, including citizens, who cannot document citizenship under current Medicaid eligibility rules) is completed in order to adequately fund services for these populations.
61. SUPPORT efforts to clearly define and adequately fund remaining county responsibilities.
62. SUPPORT State action to provide an analysis of current health care infrastructure (facilities and providers), including current safety net facilities across the state, to ensure that there are adequate providers and health care facilities, and that they can remain viable after health reform.
63. SUPPORT efforts to provide adequate financing for reforms to succeed.
64. SUPPORT measures that maximize Federal reimbursement from Medicaid and S-CHIP.
65. SUPPORT State action to complete actuarial studies on the costs of transferring indigent populations, who currently receive mostly episodic care, to a coverage model to ensure that there is adequate funding in the model.
66. SUPPORT efforts that ensure that safety net health care facilities remain viable during the transition period and be supported afterwards based on analyses of the changing health market and of the remaining safety net population.
67. SUPPORT State action to implement the 2010 Medi-Cal waiver in a manner that maximizes the drawdown of federal funds for services and facilities, provides flexibility, and ensures that counties receive their fair share of funding.
68. SUPPORT efforts to increase revenues and to contain mandated costs in the County's hospital and clinics system.
69. SUPPORT efforts to obtain a fair-share of any state funds in a distribution of funding for the integration of IHSS and managed care.
70. SUPPORT efforts to increase the availability of health care to the uninsured in California, whether employed or not.
71. SUPPORT legislation that improves the quality of health care, whether through the use of technology, innovative delivery models or combining and better accessing various streams of revenue, including but not limited to acute and long term care integration.
72. SUPPORT legislation to protect safety net providers, both public and private. Legislation should focus on stabilizing Medi-Cal rates and delivery modes and

should advocate that these actions are essential to the success of any effort to improve access and make health care more affordable.

73. **SUPPORT efforts that allow counties to draw down federal Medicaid funds for providing confidential alcohol and drug screening and brief intervention services to pregnant women and women of childbearing age who also qualify for Medi-Cal benefits.**

Currently there is no planned or organized system of care for young people and their families in need of alcohol and drug treatment services. Moreover there is a vast disparity between treatment need and treatment capacity for adolescents. Relative to the need and demand for this service, this is an area of the State's health care system that has been largely ignored.

74. SUPPORT State efforts to increase the scope of benefits and reimbursement rates contained in Minor Consent Medi-Cal to give youth suffering from substance abuse disorders access to a continuum of care, including residential and one-on-one outpatient treatment.
75. SUPPORT efforts to give incentives to providers to establish more youth-driven treatment facilities within the community.
76. SUPPORT efforts to extend Minor Consent Medi-Cal Coverage to incarcerated youths, many of whom are in custody due to drug related crimes. *This could greatly decrease recidivism in the juvenile justice system.*
77. SUPPORT county efforts in the promotion of partnerships that provide integrated responses to the needs of alcohol and drug populations, including criminal justice, perinatal and youth as well as those populations with co-occurring disorders.
78. SUPPORT and encourage the development of strategies that include alcohol and drug services in the provision of all culturally appropriate health care services.
79. SUPPORT the development and institutionalization of a tracking system for use on utilization and notification of Healthy Family substance abuse benefits for youths enrolled under California's Health Family program. *Like other youth in California, youth in Contra Costa County, are the most underserved population in the County's Alcohol and Other Drug (AOD) Services' caseloads. The Healthy Family initiative holds great potential as a funding source to address this major deficit in our AOD treatment services.*
80. SUPPORT efforts to require coverage of medically necessary alcohol and substance abuse related disorder treatment on the same levels as other medical conditions in health care service plans and disability insurance policies. *Alcohol and drug treatment services are the most under-funded of all health services.*

Neither the state nor the federal allocations to the County covers medical treatment for AOD services, and so are a cost borne by the County.

Human Services Issues

81. SUPPORT efforts to increase County flexibility in use of CalWORKs funds and in program requirements in order to better support the transition of welfare dependent families from welfare-to-work and self-sufficiency, including, but not limited to: extending supportive services beyond the current limit; enhancing supportive services; increasing diversion and early intervention to obviate the need for aid; developing a state earned income tax credit; expanding job retention services; developing an eligibility definition to 250% of the poverty level; and exempting the hard-to-serve from welfare-to-work activities and the 20% exemption or providing flexibility in the time limit (dependent upon terms and conditions of TANF reauthorization). Support efforts to align CalWORKs property and asset limitations with those of Food Stamps. *All of these measures would make it easier for CalWORKs families to enter employment services, become employed, and continue with the support they need in order to maintain their jobs.*
82. SUPPORT efforts to revise the definition of “homelessness” in the Welfare & Institutions Codes to include families who have received eviction notices due to a verified financial hardship, thus allowing early intervention assistance for CalWORKs families. *Current law prevents CalWORKs from providing homeless assistance until the CalWORKs family is actually “on the street.” This rule change would enable the County to work with CalWORKs families who are being threatened with homelessness to prevent the eviction and, presumably, better maintain the parents’ employment status.*
83. SUPPORT efforts to ensure funding of child care for CalWORKs and former CalWORKs families at levels sufficient to meet demand. The State of California has not fully funded the cost of child care for the “working poor.” *Additional funding would allow more CalWORKs and post-CalWORKs families to become and/or stay employed.*
84. SUPPORT efforts to establish an “umbrella code” for the reporting of incidents of elder abuse to the Department of Justice, thus more accurately recording the incidence of abuse. *Current reporting policies within California’s law enforcement community and social services departments are uncoordinated in regards to the reporting of adult abuse. Under an “umbrella code,” law enforcement agencies and social services departments would uniformly report incidents of elder abuse and California would have much better data for policy and budget development purposes.*

85. SUPPORT efforts that seek to identify and eliminate elder financial abuse and elder exposure to crime that may be committed through conservatorships, powers of attorney, notaries and others who have the right to control elder assets.
86. SUPPORT efforts to effectively manage the In Home Supportive Services (IHSS) to establish and maintain cost control mechanisms while delivering quality, targeted services and maintaining program integrity. Efforts **may** include, but are not limited to, establishing an IHSS Volunteer Coordination component coupled with the rebalancing of available hours. Retired volunteer social workers and registered nurses could act as local Care Coordinators, enabling IHSS Social Workers to increase their capacity to perform more timely reassessments that would enable the management of available hours and target services to those clients most in need and at risk of institutionalization.
87. SUPPORT efforts to eliminate the finger-imaging requirement for adult food stamp applicants, recognizing the fraud deterrent aspects of the Electronic Benefits Transfer System. *Elimination of the finger-imaging requirement, which was originally implemented as a fraud control measure in the old welfare programs, is viewed by many as an unnecessary or duplicate process. The current electronic benefits transfer system combined with program eligibility processes provides more fraud prevention/detection than does finger-imaging.*
88. SUPPORT efforts to allow phone-in Food Stamp Eligibility Redeterminations as a more cost effective benefit reassessment process. *As counties such as Contra Costa change their business models to utilize centralized service centers, some of the antiquated process rules and requirements also need to be changed, to allow cost efficient practices. Changing the rules to allow phone-ins for Eligibility Redeterminations is one example.*
89. SUPPORT efforts to continue expansion of Child Welfare Redesign Program Improvements including: use of Federal IV-E funding for pre-placement, prevention activities; development of caretaker recruitment and retention campaigns; extension of Independent Living Skill services to age 21; and, funding to implement Children's Child Welfare Workload Study Results, SB 2030. *Changes in these areas would enable counties to better meet their performance accountability goals, as required under Federal and State statutes.*
90. SUPPORT efforts to allow Medi-Cal clients transportation access to medical care via the most efficient transportation mode possible instead of the very costly ambulance transportation that is currently prevalent. *California is currently limited to the types of non-emergency medical transportation for reimbursement by Medi-Cal. However, the federal Medicaid program allows other much less costly forms of transportation to be used. Other states use this more permissive definition of approved non-emergency medical transportation to encourage*

Medicaid clients to receive preventative care and reduce the incidence of last-resort ambulance transportation to hospital emergency rooms for primary care.

91. OPPOSE any legislation that increases tobacco taxes but does not contain language to replace any funds lost to The California Children and Families Act/Trust Fund for local services as currently funded by tobacco taxes, Prop 10 in 1998 and Prop 99.
92. OPPOSE legislation, rules, regulations or policies that restrict or affect the amount of funds available to, or the local autonomy of, First 5 Commissions to allocate their funds in accordance with local needs.
93. SUPPORT efforts to restore funding in the amount of \$80 Million for the Child Welfare Services Program that was line-item vetoed by Governor Schwarzenegger in the State's FY 2009-10 and FY 2010-11 budgets, as these reductions have a direct impact on local child protective services and the lives of children.
94. SUPPORT efforts by the Contra Costa County's executive directors and program administrators of all Child Care and Development Programs to restore state budget allocations to the FY 2009-10 levels for the California State Preschool Program (CSPP), California Center-Based General Child Care Program (CCTR), CalWORKs Stage 2 (C2AP), CalWORKs Stage 3 (C3AP), Alternate Payment Program (CAPP), Child Care and Development Grant and the Child Care Retention Program (AB 212).

Indian Gaming Issues

Contra Costa County is currently home to the Lytton Band of the Pomo Indians' Casino in San Pablo, a Class II gaming facility. There is also a proposal for an additional casino in North Richmond. Local governments have limited authority in determining whether or not such facilities should be sited in their jurisdiction; the terms and conditions under which the facilities will operate; and what, if any, mitigation will be paid to offset the cost of increased services and lost revenues. Contra Costa County has been active in working with CSAC and others to address these issues, as well as the need for funding for participation in the Federal and State review processes and for mitigation for the existing Class II casino.

95. SUPPORT efforts to ensure that counties who have existing or proposed Class II Indian gaming facilities receive the Special Distribution Funds.
96. CONSIDER, on a case by case basis, whether or not to SUPPORT or OPPOSE Indian gaming facilities in Contra Costa County, and only SUPPORT facilities that are unique in nature and can demonstrate significant community benefits above and beyond the costs associated with mitigating community impacts.
97. OPPOSE the expansion or approval of Class III gaming machines at the existing gaming facility in Contra Costa County unless it can be demonstrated that there

would be significant community benefits above and beyond the costs associated with mitigating community impacts.

98. SUPPORT State authority to tighten up the definition of a Class II machine.
99. SUPPORT State legislative and administration actions consistent with the CSAC policy documents on development on Indian Lands and Compact negotiations for Indian gaming.

Land Use/Community Development Issues

100. SUPPORT efforts to promote economic incentives for "smart growth," *in Priority Development Areas* including in-fill and transit-oriented development. *Balancing the need for housing and economic growth with the urban limit line requirements of Measure J (2004) will rely on maximum utilization of "smart growth" and Sustainable Community Strategy principles.*
101. SUPPORT efforts to increase the supply of affordable housing, including, but not limited to, state issuance of private activity bonds, affordable and low income housing bond measures, low-income housing tax credits and state infrastructure financing. *This position supports Goals 2, 3 and 4 of the County General Plan Housing Element.*
102. SUPPORT establishment of a CEQA exemption for affordable housing financing. Current law provides a statutory exemption from CEQA to state agencies for financing of affordable housing (Section 21080.10(b) of the California Public Resources Code and Section 15267 of the CEQA Guidelines)—but not to local agencies. *The current exemption for state agencies is only operational if a CEQA review process has been completed by another agency (e.g., by the land use permitting agency). Since the act of financing does not change the environmental setting, the net effect of the exemption is streamlining the process for providing financial assistance for already approved projects. AB 2518 (Houston) in 2006 was a Contra Costa County-sponsored bill to accomplish this, but it was not successful in the Legislature.*
103. SUPPORT efforts to obtain a CEQA exemption or to utilize CEQA streamlining provisions for infill development *or Priority Development Areas, including* in unincorporated areas. Section 15332 of the CEQA Guidelines is a Categorical Exemption for infill development projects but only within cities or unincorporated areas of a certain size surrounded by cities. *Without the exemption, housing projects in the unincorporated areas are subject to a more time-consuming and costly process in order to comply with the CEQA guidelines than that which is required of cities, despite having similar housing obligations..*

104. SUPPORT efforts to reform State housing element law to promote the actual production and preservation of affordable housing and to focus less on process and paper compliance.
105. OPPOSE efforts to limit the County's ability to exercise local land use authority.
106. SUPPORT efforts to reduce the fiscalization of land use decision-making by local government, which favors retail uses over other job-creating uses and housing. *Reducing incentives for inappropriate land use decisions, particularly those that negatively affect neighboring jurisdictions, could result in more rational and harmonious land use.*
107. SUPPORT allocations, appropriations, and policies that support and leverage the benefits of approved Natural Community Conservation Plans (NCCPs), such as the East Contra Costa County NCCP. Support the granting of approximately \$20 million to the East Contra Costa County NCCP from the \$90 million allocation for NCCPs in Proposition 84. Support the position that NCCPs are an effective strategy for addressing the impacts of climate change and encourage appropriate recognition of the NCCP tool in implementation of climate change legislation such as SB 375 and AB 32. Promote effective implementation of NCCPs as a top priority for the Department of Fish and Wildlife.
108. SUPPORT legislation that would give local agencies specific tools for economic development purposes in order to enhance job opportunities, with emphasis on attracting and retaining businesses, *blight removal* and promoting smart growth and affordable housing development, while balancing the impacts on revenues for health and safety programs.
109. OPPOSE legislation that would create substantial uncertainty over the tax allocation bonds issued by redevelopment agencies and possible negative credit impact.
110. *SUPPORT legislation to resolve the statutory gap in localities without a Successor Housing Agency (for the housing functions of its dissolved redevelopment agency) so that property owners with redevelopment agency loans can identify someone to sign real estate related documents such as subordination agreements and loan payoff demands. Such legislation should not have a negative impact on the localities general fund.*
111. *SUPPORT legislative and regulatory efforts that streamline compliance with the California Environmental Quality Act (CEQA) by integrating it with other environmental protection laws and regulations, modifications to tiering of environmental reviews, expanding the application of prior environmental reviews, focusing areas of potential CEQA litigation, and enhancing public disclosure and accountability. OPPOSE efforts that reduce environmental protections for projects that cross county or city boundaries.*

Law and Justice System Issues

112. SUPPORT legislation that seeks to curb metal theft by making it easier for law enforcement agencies to track stolen metals sold to scrap dealers through such means as requiring identification from customers selling commonly stolen metals, banning cash transactions over a certain amount, and requiring scrap dealers to hold materials they buy for a certain period of time before melting them down or reselling them.
113. SUPPORT legislation that provides a practical and efficient solution to addressing the problem of abandoned and trespassing vessels and ground tackle in an administrative process that allows the California State Lands Commission to both remove and dispose of such vessels and unpermitted ground tackle. *Boat owners in increasing numbers are abandoning both recreational and commercial vessels in areas within the Commission's jurisdiction. Our state waterways are becoming clogged with hulks that break up, leak, sink and add pollutants to our waterways and marine habitat.*
114. OPPOSE legislative proposals to realign additional program responsibility to counties without adequate funding and protections.
115. OPPOSE legislation that would shift the responsibility of parolees from the state to the counties without adequate notification, documentation and funding.
116. SUPPORT legislation that will help counties implement the 2011 Public Safety Realignment as long as the proposal would: provide for county flexibility, eliminate redundant or unnecessary reporting, and would not transfer more responsibility without funding.

Levee Issues, Sacramento-San Joaquin Delta Issues

The County's Delta Water Platform was developed in mid-2008 to consolidate and organize the many County policies and positions into one document that could be utilized to guide actions and advocacy to promote a healthy Sacramento-San Joaquin Delta.

The Delta Water Platform is comprised of fourteen subject areas. Each of these subject categories contains relevant policies and background explanatory language. Each subject category is summarized below; the first five are considered priorities. The policies and background information can be found in the Delta Water Platform, which is included in this document by reference:

Short Term Actions to be implemented immediately: *Includes a broad range of specific, relatively non-controversial actions to quickly improve the state of the Delta, such as improvements to levees, the fishery, habitat and emergency response.*

Conveyance: Through-Delta and Isolated Conveyance: Consideration of isolated conveyance must protect and improve the Delta and the entire Bay-Delta ecosystem, include the broadest range of non-biased scientific analysis of impacts, include levee repair and all costs of a facility must be paid by beneficiaries.

The Delta Ecosystem: Protection and restoration of an ailing Delta ecosystem has long been a priority of the Board of Supervisors, including need for additional scientific research to address fundamental questions, fishery and habitat restoration projects.

Governance: A new or improved system of oversight related to ecosystem and water management is necessary. The existing Delta Protection Commission land use governance structure has been successful, requiring no further action. Local Government representation in any governance structure is paramount.

Levee Restoration: Advocacy for immediate and significant (multi-year) funding and levee repair is a priority, including upgrades to minimum (PL 84 99) standards for all levees, and a higher, 200-year level of protection for communities protected by levees. Stockpiling rock in the Delta specifically for levee repair and continuance of the Long Term Management Strategy (LTMS) are highly recommended.

Water Quality, Water Quantity and Delta Outflow: Protection and improvement of water quality, quantity and outflow, determination and assurance of adequate water for the delta ecosystem and examination of the State and Federal project operations (including potential for reduced exports) are recommended here.

Flood Protection/Floodplain Management: Comprehensive flood management planning throughout the Delta and its watersheds, as well as funding to bring flood facilities to 200-year levels and revenue generation for flood control districts continue to be of import.

Water Rights and Legislative Protections: Existing area-of-origin and other water rights protections established for the Delta should be preserved.

Regional Self-Sufficiency: All export regions should be implementing all water supply options available to them to reduce stress on the Delta as a limited resource.

Emergency Response: Collaborative efforts among the Delta counties to improve emergency response in the region have been productive and are continuing.

Water Conservation: Landscape and household conservation, maximizing use of reclaimed wastewater, use of meters, and agricultural water conservation are recommended.

Water Storage: Multi-purpose storage facilities are recommended and groundwater storage preferred to surface storage options. Detailed groundwater studies are recommended.

San Luis Drain/Grasslands Bypass: Long-standing opposition to selenium discharges from this project entering the Delta and support of in-valley treatment solutions are ongoing. Continued reduction in drainage from the Grasslands Bypass project is also monitored.

Climate Change: Impacts of climate change must be considered in planning, engineering and construction activities.

117. ADVOCATE for administrative and legislative action to provide significant funding for rehabilitation of levees in the western and central Delta. *Proposition 1E, passed in November 2006, provides for over \$3 billion for levees, primarily those in the Central Valley Flood Control Program. Language is included in the bond for other Delta levees but funding is not specifically directed. The County will work on a coalition basis to actively advocate for \$1 billion in funding through this bond.*
118. SUPPORT legislation that requires the levee repair funds generated by Proposition 1E be spent within one year. Many public agencies, including reclamation districts charged with maintaining levees, have complained about the state's inaction in allocating and distributing the levee funds that were raised by the bond sales authorized by Proposition 1E in 2008. Legislation could require the immediate distribution of these funds to local levee projects. The Delta Reform Act of 2009 authorized over \$202 million for levee repairs. It has been difficult to obtain explanations from the state as to why these funds are not being distributed.
119. SUPPORT legislation to amend California Water Code Section 12986, to maintain the state/local funding ratio of 75/25 for the state's Delta Levees Subventions Program, which provides funds for local levee repair and maintenance projects. The code provisions that have the state paying 75 percent of project costs will expire on July 1, 2013. At that time the matching ratio will change to 50/50. This means local reclamation districts will have to pay a larger portion of project costs (50%, compared to their current 25% requirement). Many districts do not have the funding to do so. This legislative request could also include direction that the Delta Levees Subventions Program should continue to use funds from bonds or other dedicated sources, rather than the state's General Fund. For the past several years the program has been funded from bonds. When these bond funds run out, the program will have to be funded from the General Fund, unless some other new dedicated funding source is established. This is something that should be included in the next Water Bond, if and when there is one.
120. ADVOCATE for legislation dealing with the Delta, including levees and levee programs, level and type of flood protection, beneficiary-pays programs, flood insurance, liability and other levee/land use issues.

121. SUPPORT legislation/regulation requiring Reclamation Districts to develop, publish, and maintain hazard emergency plans for their districts. *Emergency response plans are critical to emergency management, particularly in an area or situation like the Delta where a levee break could trigger other emergencies. This legislation/regulation should also include the requirement for plan review and annual distribution of the plan to the residents of the district, County Office of Emergency Services and other government agencies that have emergency response interests within the district.*
122. SUPPORT legislation to amend California Water Code Section 85057.5 to bring the Delta Stewardship Council's "covered actions" land-use review process into consistency with CEQA. This section of state code defines a "covered action," which refers to local permit decisions that are subject to potential revocation by the Delta Stewardship Council, as proposed in the Council's Delta Plan. The proposed process works as follows: (1) if a local permit application meets the definition of a "covered action," the jurisdiction must evaluate it for consistency with all of the policies in the Stewardship Council's Delta Plan. (2) If the jurisdiction finds the project is consistent with the Delta Plan, they notify the Stewardship Council of this finding. (3) Anyone who objects to the project may appeal the consistency finding, and it will be up to the Stewardship Council to make the final decision. Should the Stewardship Council decide against the local jurisdiction, there is no appeal process available to the jurisdiction or project applicant other than legal action.

"Covered actions" are defined in Section 85057.5 of the California Water Code. It defines them as plans, projects or programs as defined by CEQA, and then goes on to grant several exemptions to certain types of projects. It does not, however, provide exemptions for all the project types that CEQA itself exempts. CEQA provides a lengthy list of categorical exemptions for plans, projects and programs that generally do not have significant environmental impacts, and projects that have compelling reasons to move forward quickly (such as public safety projects). The entire list of categorical exemptions from CEQA also should be exempt from the Delta Stewardship Council's "covered actions" process.

Library Issues

123. SUPPORT State financial assistance in the operation of public libraries, including full funding of the Public Library Fund (PLF) and the Direct/Interlibrary Loan (Transaction Based Reimbursement) program.
124. SUPPORT State bonds for public library construction. The 2000 library construction bond provided funding for two libraries in Contra Costa County. There is currently a need of approximately \$289,000,000 for public library construction, expansion and renovation in Contra Costa County.

125. SUPPORT continued funding for the California Library Literacy and English Acquisition Services Program, which provides matching funds for public library adult literacy programs that offer free, confidential, one-on-one basic literacy instruction to English-speaking adults who want to improve their reading, writing, and spelling skills.

Telecommunications Issues

126. SUPPORT clean-up legislation on AB 2987 that provides for local emergency notifications similar to provisions in cable franchises for the last 20 years. *Currently our franchises require the cable systems to carry emergency messages in the event of local emergencies. With the occurrence of several local refinery incidents, this service is critical for Contra Costa. Under federal law, Emergency Alert System requirements leave broad discretion to broadcasters to decide when and what information to broadcast, emergency management offices to communicate with the public in times of emergencies.*
127. SUPPORT preservation of local government ownership and control of the local public rights-of-way. *Currently, local government has authority over the time, place, and manner in which infrastructure is placed in their rights-of-way. The California Public Utilities Commission is considering rulemaking that would give them jurisdiction to decide issues between local government and telecommunication providers.*

Transportation Issues

128. SUPPORT increased flexibility in the use of transportation funds. The County supports an amendment to the Subdivision Map Act to allow the use of off-site transportation impact fees to fund pedestrian, bicycle transit and traffic calming facilities necessitated by new development. The Act currently limits the use of these funds to improvements to bridges and “major thoroughfares.” Senator DeSaulnier introduced such a bill in 2008. The County’s proposal was adopted by CSAC for its legislative platform in the 2011 session. The proposal would provide more flexibility in how we can use an existing transportation funding source.
129. SUPPORT regional coordination that provides for local input in addressing transportation needs. *Coordinated planning and delivery of public transit, paratransit, and rail services will help ensure the best possible service delivery to the public. Regional coordination also will be needed to effectively deal with the traffic impacts of Indian gaming casinos such as those in West County. Regional coordination also will be essential to complete planning and development of important regional transportation projects that benefit the state and local road system such as State Route 239, improvements to Vasco Road, completion of remaining segments of the Bay Trail, improvements to the Delta DeAnza Regional Trail, and the proposed California Delta Trail. There may be interest in*

seeking enhanced local input requirements for developing the Sustainable Communities Strategy for the Bay Area mandated by SB 375 for greenhouse gas reduction. It is important that the regional coordination efforts are based on input gathered from the local level, to ensure the regional approach does not negatively impact local communities. "Top-down" regional planning efforts would be inconsistent with this goal.

130. SUPPORT efforts to improve safety throughout the transportation system. *The County supports new and expanded projects and programs to improve safety for bicyclists, pedestrians and wheelchair users, as well as projects to improve safety on high-accident transportation facilities such as Vasco Road. Data on transportation safety would be improved by including global positioning system (GPS) location data for every reported accident to assist in safety analysis and planning. The County also supports school safety improvement programs such as crossing guards, Safe Routes to Schools (SR2S) grants, efforts to improve the safety and security of freight transportation system including public and private maritime ports, airports, rail yards, railroad lines and sidings. The County also supports limits or elimination of public liability for installing traffic-calming devices on residential neighborhood streets.*
131. SUPPORT funding or incentives for the use of renewable resources in transportation construction projects. *The County seeks and supports grant programs, tax credits for manufacturers, state purchasing programs, and other incentives for local jurisdictions to use environmentally friendly materials such as the rubberized asphalt (made from recycled tires) that the County has used as paving material on San Pablo Dam Road and Pacheco Boulevard.*
132. SUPPORT streamlining the delivery of transportation safety projects. *The length of time and amount of paperwork should be reduced to bring a transportation safety project more quickly through the planning, engineering and design, environmental review, funding application, and construction phases, such as for Vasco Road. This could include streamlining the environmental review process and also streamlining all state permitting requirements that pertain to transportation projects. Realistic deadlines for use of federal transportation funds would help local jurisdictions deliver complex projects without running afoul of federal time limits which are unrealistically tight for complex projects.*
133. SUPPORT efforts to coordinate development of state-funded or regulated facilities such as courts, schools, jails, roads and state offices with local planning. *The County supports preserving the authority of Public Works over County roads by way of ensuring the Board of Supervisors' control over County roads as established in the Streets & Highways Code (Ch2 §940) is not undermined.*
134. SUPPORT efforts to coordinate planning between school districts and local jurisdictions in locating and planning new schools and funding programs that foster collaboration and joint use of facilities to help finance off-site transportation

improvements for access to schools. *The County supports the California Department of Education's current effort to better leverage school facilities in developing sustainable communities. Related to this effort, the County supports reform of school siting practices by way of legislative changes related to any new statewide school construction bond authorization.*

135. SUPPORT regional aviation transportation planning efforts for coordinated aviation network planning to improve service delivery. Regional aviation coordination could also improve the surrounding surface transportation system by providing expanded local options for people and goods movement.
136. SUPPORT efforts to increase waterborne transport of goods and obtaining funds to support this effort. *The San Francisco to Stockton Ship Channel is a major transportation route for the region, providing water access to a large number of industries and the Ports of Sacramento and Stockton. A project is underway to deepen the channel, providing additional capacity to accommodate increasing commerce needs of the Ports and providing better operational flexibility for the other industries. Increased goods movement via waterways has clear benefits to congestion management on highways and railroads (with resultant air quality benefits).*

Waste Management

137. SUPPORT legislation that establishes producer responsibility for management of their products at the end of their useful life.
138. SUPPORT efforts to increase the development of markets for recycled materials.
139. SUPPORT legislative and regulatory efforts to allow third parties, under specific circumstances and conditions, to collect and transport household hazardous waste to collection facilities.
140. SUPPORT legislation that seeks to remedy the environmental degradation and solid waste management problems on a State-wide basis of *polystyrene containers and* single-use plastic bags typically given away for free at grocer, retail and other establishments.
141. SUPPORT legislation that does not require increased diversion from landfills without out an adequate funding mechanism.
142. SUPPORT legislation that would make changes to the used tire redemption program. Instead of collecting a disposal fee from the consumer when new tires are purchased, a disposal fee would be collected at the wholesale level and redeemed by the disposal site when the used tires are brought to the site. The party bringing the tires to the disposal site would also receive a portion of the fee.

143. *SUPPORT legislation that relieves counties with privately-operated landfills from the state requirement for maintaining a 15-year supply of disposal capacity for waste generated within each county. In 1989, Contra Costa County amended its general plan to accommodate construction of Keller Canyon Landfill. Due to the difficulty in siting landfills and the requirements of Public Resources Code 47100 – Countywide Siting Element, the County maintained authority to control the amount of waste disposed at this facility from outside the county. Despite Contra Costa County’s opposition, AB 845 will become law on January 1, 2013 and prohibit any jurisdiction from regulating the amount of waste disposed at a privately-operated landfill based on its place of origin.*

Since local jurisdictions can no longer control importation of waste to privately-operated landfills, the host County will have a greater need to undertake the difficult task of identifying new disposal capacity pursuant to the Countywide Siting Element requirement. Since the state believes there is no need for local jurisdictions to regulate disposal of solid waste by place of origin, the state should remove existing statutes that require each County with privately-operated landfills to identify sufficient disposal capacity for the waste generated by the jurisdictions within that County.

144. *SUPPORT legislation that can reduce the amount of harmful pharmaceuticals that ultimately enter waste water treatment facilities and landfills.*

145. *SUPPORT legislative and regulatory efforts to restrict payments from the Beverage Container Recycling Program Fund for redemption of beverage containers sold out of state. Fraudulent redemption of these beverage containers is costing the Fund from \$40 million to \$200 million annually. This fraud combined with loans to the General Fund to reduce the State budget deficit has significantly reduced the availability of funds for increasing recycling as intended under the law.*

146. *SUPPORT legislative and regulatory efforts that correct the imbalance between the County’s regulatory authority to control the collection and disposal of solid waste generated within the unincorporated areas and our exposure to state penalties for failing to meet state mandates for diverting solid waste generated within these areas as a result of Appellate Court decisions. These decision awarded solid waste franchise authority to the Rodeo Sanitary District and Mountain View Sanitary District while the County remains exposed to state penalties for failing to meet state mandates for reducing solid waste generated in these areas.*



**CONTRA COSTA COUNTY
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TO: **Legislation Committee**
(Supervisor Mary N. Piepho - Chair; Supervisor Karen Mitchoff – Vice Chair)

FROM: John Cunningham, Senior Transportation Planner 

DATE: November 1, 2012

SUBJECT: Legislative Update (Transportation)

Background

The County maintains an item in its state legislative platform addressing issues related to school siting¹. In the past there has been limited opportunity to address this issue with state agencies that are involved with school siting policies.

In response to an effort initiated by Tom Torlakson, State Superintendent of Public Instruction, the California State Senate Education Subcommittee addressed the issue at their meeting on August 7, 2012. At that meeting the Subcommittee directed the Facilities Director of the California Department of Education (CDE) to develop a plan to implement the findings of the recent report² which detailed needed improvements to school siting policies.

Recommendation

Discuss options at the November 8, 2012 Legislation Committee meeting.

Discussion

The current policymaking landscape represents the best chance for the reform of school siting practices in recent past:

- The effort mentioned above has emanated from *within* the CDE. Previous efforts have come either from the legislature or outside advocacy groups.
- The California State Association of Counties has agreed to be involved (See attached letter).
- CDE must have new construction and maintenance funding through new bonding capacity, they have nearly exhausted current authority. Some members of the state legislature intend on making any new bond authority contingent on reformed school

¹ 128. *SUPPORT efforts to coordinate development of state-funded or regulated facilities such as courts, schools, jails, roads and state offices with local planning. The County supports coordinating planning between school districts and local jurisdictions in locating and planning new schools and funding programs that foster collaboration and joint use of facilities to help finance off-site transportation improvements for access to schools.*

² *California's K-12 Educational Infrastructure Investments: Leveraging the State's Role for Quality School Facilities in Sustainable Communities*

siting practices.

- Considering that schools, following state guidelines and with state funds, are sited and constructed in manner that is completely inconsistent with SB375 and basic safe routes to school (SR2S) concepts, the Metropolitan Transportation Commission has expressed some interest in getting involved in the issue.
- Similarly, the Contra Costa Transportation Authority (CCTA), which has a role in implementing SB375 and in addressing SR2S issues recently developed a *“Safe Routes to School Discussion Paper”*. The paper is intended to define “...what role it [CCTA] should play...” in SR2S issues. The Paper includes the following new *“approaches”* that CCTA will be involved in, *“Policy Statements that support local SR2S programs, advocate for increased funding and champion policy directives at the regional and statewide level.”*

The bullet points above suggest a positive scenario for changes in school siting practices. Despite these positive developments, success is far from certain. With the implementation of SB375 and the State’s ongoing *Health in All Policies* initiative, new school siting policy changes were actually drafted. Ultimately however, final policies and recommendations did not include any references to school siting.

c: S. Goetz, Deputy Director – DCD
P. Roche, Principal Planner, DCD



September 21, 2012

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The Honorable Tom Torlakson
State Superintendent of Public Instruction
California Department of Education
1430 N Street
Sacramento, CA 95814

Dear Superintendent Torlakson:

The California State Association of Counties (CSAC) writes in strong support of your efforts over the past year to upgrade California's aging and outdated school facilities and infrastructure. We also write to offer our assistance to you as you work to review and implement changes to the State's policies and procedures for the construction of school facilities.

CSAC was encouraged by the recommendations included within your *Schools of the Future Report*. CSAC has had long standing policy that emphasizes the importance of other public agencies participating in the local planning process in order to avoid conflicts with local general plans. CSAC supports the recommendations regarding school site selection and community impacts. Specifically, the policy recommendations to foster cross collaboration between local education agencies (LEAs) and local governments, to require LEAs to consider local land use plans and state sustainability goals in the analysis of school siting, and to encourage or even mandate early collaboration and communication between local governments and LEAs within land use planning processes could go a long way to improve the siting of schools, smarter development, and sustainable community growth.

It is our understanding that the California Department of Education has been charged with developing a process to determine the next steps towards implementing the recommendations within the *Schools of the Future Report* and the subsequent report *California's K-12 Educational Infrastructure Investments: Leveraging the State's Role for Quality School Facilities in Sustainable Communities*. CSAC respectfully requests to be a part of this process, however it takes form. We believe that county perspectives and experiences with local land use planning and school siting would be beneficial to this process.

Once again, we applaud you for the good work you are doing with respect to the improvement of school facilities and infrastructure around the State. Please do not hesitate to contact me (916.327.7500 ext. 509 or dbaker@counties.org) with any questions you have regarding CSAC's policy on these issues or our request to participate in this effort. We look forward to working with you and the Department of Education on this important and ambitious task.

Sincerely,

A handwritten signature in blue ink that reads "DeAnn Baker".

DeAnn Baker
Senior Legislative Representative

cc: Kathleen Moore, Director, School Facilities Planning Division, CA Department of Education