

## 2010 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; policy issues that provide direction and guidance for identification of bills which would affect the services, programs or finances of Contra Costa County; and issues regarding the state budget and state-local relationship.

### **COUNTY-SPONSORED BILLS**

The following sponsored bill proposals respond to Board adopted priorities and/or past direction to staff.

**1. Subdivision Map Act Amendment for Pedestrian, Bicycle, Transit and Traffic Calming Facilities** – For some time the County has wanted to update its transportation fees for new development to fund off-site pedestrian, bicycle, transit and traffic calming facilities. However, the state statute authorizing local agencies to adopt ordinances to require the payment of fees for transportation facilities, section 66484 of the Subdivision Map Act, is limited to bridges and major thoroughfares.

*Rationale: The public's concern over greenhouse gas emissions and the impact of auto-oriented development on public health has spurred the County's efforts to secure additional funding for transportation facilities that can encourage more walking, bicycling and transit use. In addition, the County's successful efforts to reduce sprawl through infill development has increased the need for traffic calming devices to help minimize the traffic impacts from new development on existing roads. Revising the Subdivision Map Act to allow fees for these transportation facilities would support the County's public policy goals, consistent with its General Plan circulation element. Senator DeSaulnier introduced a bill to accomplish this in 2008. The County will request the bill be reintroduced in the 2010 session, as it would provide more flexibility for an existing transportation funding source.*

**2. All Mail Ballots for Special Elections** – 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.

*Rationale: Historically, special elections to fill congressional and legislative vacancies have failed to attract interest, resulting in low voter turnout. For example, in Los Angeles County, four special vacancy elections were held in 2007. The average turnout for these elections was 11 percent with costs incurred ranging from \$700,000 to \$1,400,000. A significant portion of the costs expended was related to the recruitment of polling places and poll workers and supplying those polling places with election materials. This proposal would have a favorable administrative and fiscal impact by eliminating the*

*need to recruit polling places and poll workers for these elections. In addition, the popularity of voting by mail has tremendously increased; therefore, the all mail ballot procedure for this type of election could result in higher voter turnout.*

### **LEGISLATIVE/REGULATORY ADVOCACY PRIORITIES**

Each year, issues emerge through the legislative process that are of importance to the County and require advocacy. For 2010, it is anticipated that critical issues requiring the attention of Nielsen Merksamer, the County's advocate, will include the following:

**1. State Budget** – The State is facing a deficit of approximately \$6.3 billion for the 2009-2010 fiscal year and a projected deficit of at least \$19.9 billion in 2011-12. 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 effort to include counties as part of its budget balancing solution. 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. As proposals for Health Care reform by either the Administration or the Legislature are presented, they will be reviewed based on the Board-adopted “Principles for Action,” and the Health Care Principles adopted by CSAC and the Board of Supervisors.

**3. Water and Levees /The Sacramento-San Joaquin Delta** – Due to the Governor's Delta Vision and the passage of a package of Delta Water legislation in November 2009, significant legislative activity related to re-engineering of the Delta is underway that could have significant impacts upon the County in the areas of water quality and supply (such as a peripheral canal), levees, ecosystem, governance and flood control. A water bond is scheduled for the November 2010 ballot, Consideration should be given to the potential for the County to sponsor Delta-related legislation through our legislative delegation. The Delta Water Platform, as well as the Strategic and Action Plan documents, is incorporated in this Platform by reference.

**4. Transportation Funding** – In recent years, the State has taken a significant amount of dedicated transportation funding to cover the General Fund budget deficit. For FY 2009-10 the State is withholding six months worth of transportation funding for cities and counties, to be repaid in the spring of 2010. The County will advocate for the

protection of all current transportation funding sources and work to prevent the State from dipping into these funds again to cover budget shortfalls. Recent legislation placed limits on the State's ability to divert transportation funds to the General Fund, but diversion is frequently discussed by legislators. State transportation funds historically have been an important piece of the funding picture for annual road maintenance work, public transit, paratransit services, and major improvement projects to freeways and local roads. Funds also are needed to meet a growing number of unfunded state and federal mandates such as the Americans with Disabilities Act and stormwater and habitat preservation requirements, all of which have impacts on transportation improvement projects. The creation of a new transportation funding source could be supported, provided that the new source does not shift revenue away from the State's General Fund.

**5. Redevelopment Agency Revenue Shift to ERAF (Educational Revenue Augmentation Fund)** – The adopted FY 2009-10 State budget requires a one-time shift of \$1.7 billion in property tax revenues from redevelopment agencies to Educational Revenue Augmentation Funds (ERAF). The \$1.7 billion take from redevelopment agencies is intended to support schools and programs that service residents of the redevelopment areas or that live in redevelopment-financed housing. Under this take, RDAs may suspend their contributions to their Low and Moderate Income Housing Funds in 2009-10 in order to help finance payments, or may borrow from their parent city or county. RDAs may extend their time limits for plan effectiveness and for receipt of tax increment revenues by one year after they meet their payment obligation for 2009-10. The County should monitor discussions of any additional redevelopment revenue shifts and work with the California State Association of Counties (CSAC), the League of California Cities, and the California Redevelopment Association to educate the Governor and Legislature on the value of redevelopment as an economic development and smart growth tool as they conceive and adopt budgets in the future.

## **STATE PLATFORM POLICY POSITIONS**

As requested by the Board, 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.*

### **Animal Services Issues**

4. 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.*
5. 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*
6. 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.*
7. SUPPORT efforts to ensure full funding of state animal services mandates, including defense of the State 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. That was done 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.*
8. 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.*

9. 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**

10. 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.*
11. 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 that not acknowledged by all county recorder offices.*
12. 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.*
13. 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*

14. *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 an Internet Web site.*

### **Climate Change Issues**

15. 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.*
16. 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.

### **Elections Issues**

17. 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.*
18. SUPPORT full state reimbursement for state mandates imposed upon local registrars by the Secretary of State, *including special state elections.*

### **Emergency Preparedness, Emergency Response**

19. SUPPORT legislation that would give local agencies more authority to train volunteers and help clean-up oil spills without taking on additional legal liability.
20. 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.

21. SUPPORT legislation that would require responses to future oil spills in a shorter timeframe, with a more regional approach.
22. 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.

### **Eminent Domain Issues**

23. 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.
24. 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**

25. 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.*
26. 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.*
27. 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.*

28. 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.
29. 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 to lag behind property tax growth.)* This policy includes opposition to the shift of redevelopment property tax increment revenues to the Educational Revenue Augmentation Fund (ERAF).
30. OPPOSE efforts to limit local authority over transient occupancy taxes (TOT).
31. 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.
32. 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. For example, with Proposition 63 mental health funding, the Department had anticipated \$12-16 million per year. The state allocation is only \$7.1 million for the first 3 years, in part because the homeless population was not considered in the allocation methodology.*
33. 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.
34. SUPPORT continued efforts to reform the state/local relationship in a way that makes both fiscal and programmatic sense for local government.
35. OPPOSE reductions in county-run State programs that shift responsibility or costs to the County.



36. SUPPORT efforts to relieve California of the federal Child Support penalties without shifting the cost of the penalties to the counties.
37. SUPPORT reduction in the 2/3 vote requirement for special taxes that fund high priority local services.
38. 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.*
39. 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.
40. 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.*
41. SUPPORT state actions that maximize federal and state revenues for county-run services and programs.
42. SUPPORT legislative compliance with both the intent and language of Proposition 1A.
43. SUPPORT full State funding of all statewide special elections, including recall elections.
44. 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.*
45. 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.*

46. 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.*
47. 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.*

### **Health Care Issues**

*The federal Medi-Cal waiver provided \$180 million per year during years 3 to 5 of the waiver, contingent upon the State developing a "coverage initiative for the uninsured." The California Association of Public Hospitals has taken the lead in structuring an initiative that would not only improve the health status of enrollees, but also promote prudent use of health care services and ultimately lower costs for counties and the Medi-Cal system.*

*In addition, the Governor and the Legislature have engaged in health care reform discussions since 2007. Counties are concerned about any 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.*

48. 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.*

49. SUPPORT Medi-Cal reimbursement rate increases to incentivize providers to participate in the program.
50. 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.*
51. 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).
52. 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.*
53. 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.*
54. 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.
55. SUPPORT efforts to clearly define and adequately fund remaining county responsibilities.
56. 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.
57. SUPPORT efforts to provide adequate financing for the reforms to succeed.

58. SUPPORT measures that maximize Federal reimbursement from Medicaid and S-CHIP.
59. 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.
60. 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.
61. SUPPORT State action to implement California's Medi-Cal Hospital/Uninsured Care 1115 Waiver to ensure full Federal financial participation by creating a health coverage program through public hospitals that would establish the provider network and set of services; qualify eligible enrollees; issue coverage cards; and assign primary care providers.
62. SUPPORT efforts to increase revenues and to contain mandated costs in the County's hospital and clinics system.
63. SUPPORT efforts to increase the availability of health care to the uninsured in California, whether employed or not.
64. 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.
65. 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.

*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. In 2002, an estimated 468,000 persons between the ages of 12 & 18 in our state had an alcohol and drug problem (abuse or dependence) that warranted treatment. In that same year only 18,965 adolescents in that age group were actually admitted to publicly-funded alcohol and drug programs. This number represents only 4% of the estimated population in need of treatment. 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.*

66. 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.
67. SUPPORT efforts to give incentives to providers to establish more youth-driven treatment facilities within the community.
  68. 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.*
  69. 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.
  70. SUPPORT and encourage the development of strategies that include alcohol and drug services in the provision of all culturally appropriate health care services.
  71. 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.*
  72. 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**

73. 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.*

74. 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.*
75. 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.*
76. 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.*
77. SUPPORT efforts that seek to identify and eliminate elder financial abuse and elder exposure to crime that may be committed through conservatorships.
78. SUPPORT efforts to reduce County costs for In-Home Supportive Services, including but not limited to extending the required reassessment period. *There are many administrative tasks required in regulation for counties to follow in managing the In-Home Supportive Services program. Options to many of these tasks would lower administrative costs while maintaining program integrity.*
79. 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.*

80. 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.*
81. 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.*
82. 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.*
83. **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.**
84. **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.**

### **Illegal Dumping of Waste**

85. **SUPPORT legislation to establish an advance disposal fee program (retailer take-back program) for products containing potentially hazardous materials, like batteries, pharmaceuticals, fluorescent bulbs, electronics and large appliances as well as other items which require special handling (e.g. bulky items like furniture).**
86. 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.*

### **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 are also proposals for two additional casinos in West County: one in North Richmond and the other in Point Molate. 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.*

87. SUPPORT efforts to ensure that counties who have existing or proposed Class II Indian gaming facilities receive the Special Distribution Funds.
88. *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.*
89. *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.*
90. SUPPORT State authority to tighten up the definition of a Class II machine.
91. 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 Issues**

92. SUPPORT efforts to promote economic incentives for "smart growth," 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" principles.*
93. 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.*



94. *SUPPORT efforts to obtain a CEQA exemption for affordable housing lending undertaken by a city or county housing and community development or housing finance agency to provide financial assistance or insurance for the development and construction of affordable housing. CEQA exempts specified projects from its requirements, including an action taken by the State agencies to provide financial assistance or insurance for the development and construction of affordable housing if the project for financial assistance or insurance will be reviewed pursuant to CEQA by another public agency (Section 21080.10(b) of the California Public Resources Code). The exemption for State agencies engaged in affordable housing lending was adopted in 1980, before localities had a significant role in affordable housing lending. Today, localities are a major provider of affordable housing assistance, whereas the State role has diminished. Local agencies should not be treated differently from State agencies with respect to CEQA requirements and exemptions. Moreover, without this exemption, affordable housing projects not otherwise exempt by virtue of "by right" provisions in State law could be subject to "double jeopardy," whereby they would be subject to CEQA during entitlements and subject to CEQA during financing. AB 2518 (Houston) in 2006 was a Contra Costa County-sponsored bill to accomplish this, but it was not successful in the Legislature.*
95. *SUPPORT efforts to obtain a CEQA exemption for infill development in unincorporated areas. Section 15332 of the CEQA Guidelines is a Categorical Exemption for infill development projects but only within 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.*
96. SUPPORT efforts to amend Section 65915 of the Government Code (amended in 2004 by SB 1818 - Hollingsworth) so that state law enhances rather than inhibits local efforts to increase the supply of affordable housing. *The provisions of law regarding density bonuses and inducements to them should be clarified and simplified in order to encourage this avenue for affordable housing production.*
97. 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.
98. OPPOSE efforts to limit the County's ability to exercise local land use authority.

99. SUPPORT increased flexibility in the use of Redevelopment set-aside funds for low and moderate income housing. *Such flexibility would encourage creative use of these funds, resulting in higher overall production of units.*
100. 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.*
101. SUPPORT efforts to identify funding mechanisms and require producer responsibility for recycling wastes banned from landfills (including universal wastes such as electronic waste and mercury containing items). *Some means of disposal is required for these items once their useful economic life has ended. By creating a universal method of disposal, all Californians will be treated equally.*
102. SUPPORT allocations, appropriations, regulations, and rule making processes related to the expenditure of Proposition 84 funds that provide a fair share of funding to Contra Costa County for the water, park, and resource conservation projects funded by the Proposition, including but not limited to a per capita apportionment of funds for local parks that does not differentiate between residents of unincorporated and incorporated areas as well as funding for land acquisition and restoration under Natural Community Conservation Plans, such as the plan being developed for East County. *In the past, the residents of unincorporated Contra Costa County have not received their fair share of local park funds due to an inequitable allocation process. This policy would address that inequity. In addition, funding is needed to support the East Contra Costa County Natural Community Conservation Plan.*

### **Law and Justice System Issues**

103. 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.
104. SUPPORT full funding of the state Juvenile Probation and Camps Funding (JPCF). *In FY 2004-05, the State eliminated Probation's allocation of federal Temporary Assistance to Needy Families (TANF) funds and backfilled them with state General Funds. At risk is approximately \$5.2 million of revenue that supports the Orin Allen Youth Rehabilitation Facility, Home Supervision and Juvenile Electronic Monitoring Program, and the Juvenile Community Service program (weekend work).*

105. SUPPORT Adult Probation Funding that would provide state funding for adult probation services to enhance public safety and provide realistic opportunities for the rehabilitation of probationers. *Implementing evidence-based practices can potentially reduce the prison-bound probation population by between 10 and 30 percent. Intervening with this population of prison-bound probationers to increase supervision and treatment services can have a significant impact on prison admissions and help to reduce prison overcrowding in California.*
106. 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.*

### **Levee Issues, Sacramento-San Joaquin Delta Issues**

*The 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 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.*

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

*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.*

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

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.

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.

107. 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 \$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.*

108. 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.
109. 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.*

### **Library Issues**

110. 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. *The Contra Costa Library has lost over \$1 million in PLF funds annually in the last 5 years.*
111. 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.
112. 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**

113. 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.*

114. 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**

115. SUPPORT increased transportation funding and protection of current transportation funding sources. *While County voters' extension of Measure J and the transportation infrastructure bond measure of November 2006 have increased the funds available for transportation, additional funds are needed to complete the funding for major transportation projects such as Vasco Road improvements. Funds also are needed to meet a growing number of unfunded state and federal mandates such as the Americans with Disabilities Act and stormwater and habitat preservation requirements. The County supports creation of new transportation funding sources provided that the new source does not shift revenue away from the State's General Fund. The County also 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. Senator DeSaulnier introduced such a bill in 2008 but dropped it due to opposition from the building industry. The County will request the bill be reintroduced in the 2010 session, as it would provide more flexibility in how we can use an existing transportation funding source. The County also will monitor proposed greenhouse gas reduction legislation known as "cap and trade" to determine whether such legislation could result in transportation revenue for local jurisdictions.*
116. 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 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 Region 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.*

117. 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. 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.*
118. 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.*
119. 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.*
120. SUPPORT efforts to coordinate development of state-funded facilities such as courts, schools, jails 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 to help finance off-site transportation improvements for access to schools.*
121. 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.*
122. 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).*