County of Los Angeles
**CHIEF EXECUTIVE OFFICE**
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
http://ceo.lacounty.gov

WILLIAM T FUJIOKA
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

November 18, 2008

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**STATE AGENDA FOR THE 2009-10 LEGISLATIVE SESSION**
**(ALL SUPERVISORIAL DISTRICTS AFFECTED) (3 VOTES)**

**SUBJECT**

The following recommendations represent the updated policies and proposals for the State Agenda for the 2009-10 Session of the State Legislature, which were developed in coordination with your Board Offices, County departments, the Legislative Strategist, and the Sacramento advocates. This package, together with other positions previously adopted by your Board, will guide our State advocacy efforts. In general, these changes seek to minimize the adverse impact of State actions on the County, achieve greater flexibility over the use of State funds, secure State assistance whenever possible, especially from non-General Fund sources, and promote the growth of the State and local economy.

**THEREFORE, IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve the attached additions, deletions, and changes to existing Board-adopted policies and positions for inclusion in the 2009-10 State Agenda.

2. Instruct the Chief Executive Officer, affected departments, the Legislative Strategist, and the Sacramento advocates to work with the Los Angeles County delegation, other counties and local governments, and interest groups to pursue these policies and positions in the State Legislature and with the Administration and its agencies.

## ECONOMIC AND FISCAL OUTLOOK

As the State begins to prepare its FY 2009-10 Proposed Budget, it is faced with a current year budget that is already out-of-balance based on estimates of State revenues that assume an early economic recovery, instability in the financial markets, substantial court-imposed funding for prison health care and overcrowding, and the possibility that the voters may reject a proposal next year to securitize future lottery earnings, funds which could be part of any budget solution for next year. In addition, employment in nine of the State's 11 major sectors has fallen, and median housing prices continue to decline. The Governor and Legislative leaders have been meeting regularly to discuss a new special session on the budget which will begin on November 5, 2008.

Three months have passed in the current fiscal year and State revenues are $1.1 billion below estimates according to the State Controller. Estimated tax payments, a barometer of the strength of personal income and corporate taxes, were significantly below last year's levels. Furthermore, this year's budget includes an estimated $6 billion of new revenue from a combination of earlier collection of some taxes, postponement of some corporate tax reductions, and increased penalties on companies that underpay taxes. Most of these sources are one-time in nature. Early collection this year means less of these revenues will be available next year.

Early newspaper accounts and various analyses forecast a budget deficit of at least $3 billion by the end of the fiscal year in June 2009. More recent accounts indicate a continuing economic slowdown and a stronger likelihood that the economy will slide into a recession increasing the potential budget shortfall to $10 billion.

This year's $15.2 billion budget shortfall resulted in a County loss of approximately $128.6 million in State funding as documented in a Sacramento Update of September 24, 2008. Subsequent analysis by County departments of the programmatic impact of these reductions indicated a slightly larger impact. The County avoided suspension of Proposition 1A and Proposition 42, which would have increased the adverse impact on the County by an additional $199 million. Given the State's bleak economic outlook, its limited ability to continue to rely on borrowing and accounting changes to help close its budget deficits, and the absence of substantial legislative support for additional revenues, the County may not be so fortunate next year because the State is likely to confront another substantial budget deficit.

In this uncertain economic environment, the County will continue to focus generally on the restoration and preservation of State funding, working primarily through the budget process. While the current budget outlook will make it very difficult to obtain additional funding, the County will seek to restore funding for a number of programs and secure

additional funding where service needs have outpaced stagnant or slow growing revenues.

## RECOMMENDED CHANGES TO THE COUNTY'S STATE LEGISLATIVE AGENDA

The changes in the Attachment represent requests from County departments and commissions to add or modify policy statements consistent with their operational goals and plans. New policy statements represent emerging programs and issues for which we are seeking your Board's concurrence to guide future advocacy efforts. Some policies are no longer applicable and were deleted because County-supported legislation was enacted as in the case of reimbursement of the cost of special elections. There are recommended modifications to policy statements for various items including emissions credits for employees commuting in hybrid vehicles, the setting of water rates to encourage water conservation, a series of proposals to improve collections for child support, recommendations to promote development of a Statewide trauma care system, and increase the availability of immunizations for County residents. Also included are recent Board actions supporting additional funding for Juvenile Court Community Schools and promoting County flexibility to deliver educational services to minors in probation camps and halls through multiple providers.

All other previously adopted State Legislative Agenda policies and positions remain in effect; and as such, advocacy will continue on these matters. A revised comprehensive list of all State Legislative Agenda policy statements will be published subsequent to consideration of the changes included in the Attachment.

Legislation for which the County will seek sponsorship, consistent with existing Board policies and positions, was provided in the October 31, 2008 Sacramento Update. Summaries of budget and legislative initiatives, which also are consistent with existing Board policies and positions for pursuit by the Sacramento advocates in the upcoming State Legislative Session, will be included an upcoming Sacramento Update.

## IMPLEMENTATION OF STRATEGIC PLAN GOALS

The proposed policies and proposals in the State Legislative Agenda are consistent with the County's Strategic Plan Goals of Organizational Effectiveness and Fiscal Responsibility. Organizational Effectiveness is achieved by providing timely advocacy on proposals that could significantly affect the County. Fiscal Responsibility results from efforts by the CEO, Sacramento advocates, and County departments pursuing new funding sources and opposing reductions in program funding or new unfunded mandates on County government.

## CONCLUSION

The recommended general policies and updated proposals in the Attachment are submitted for your Board's consideration as the guiding principles for the County's advocacy efforts in the upcoming 2009-10 State Legislative Session. The policies and proposals contained in this package are in addition to, and are not intended to be exclusive of, other positions your Board may adopt. As in the past, the State Agenda will be updated to reflect subsequent Board actions.

Respectfully submitted,

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:GK:MAL
MR:er

Attachment

c: Executive Officer, Board of Supervisors
County Counsel
All Department Heads

ATTACHMENT

# RECOMMENDED CHANGES TO STATE LEGISLATIVE POLICIES

## Table of Contents


| | | Page |
|---|---|---|
| 1. | Children and Families | 1 |
| | 1.1 Child Welfare Services | 1 |
| | 1.2 Child Welfare Services – Foster Care | 1 |
| 2. | Environment, Natural Resources and Recreation | 1 |
| | 2.1 Air Quality | 1 |
| | 2.2 Beaches | 2 |
| | 2.4 Parks | 2 |
| | 2.6 Water Supply | 2 |
| 3. | General Government | 2 |
| | 3.1 Retirement, Compensation and Benefits, and Worker's Compensation | 2 |
| | 3.2 Land Use Planning | 3 |
| | 3.4 Consumer Protection | 5 |
| | 3.6 Child Support Administration | 5 |
| | 3.11 Library Services | 8 |
| 4. | Health | 8 |
| | 4.1 Financing of the Safety Net | 8 |
| | 4.2 Emergency and Trauma Care | 9 |
| | 4.3 Medi-Cal and Healthy Families | 10 |
| | 4.4 Health Insurance and Coverage | 10 |
| | 4.6 Public Health | 10 |
| 5. | Housing and Community Development | 12 |
| 6. | Justice and Public Safety | 13 |
| | 6.1 General | 13 |
| | 6.4 Crime Lab | 15 |
| | 6.8 Probation | 15 |
| | 6.9 ~~Anti-Terrorism~~ Disaster Preparedness | 17 |
| 8. | Mental Health | 17 |
| | 8.1 Residential Facility Safety | 17 |
| 9. | Revenue and Taxation | 18 |

10. Social Services . . . . . 18
10.1 Reforming the Safety Net and Promoting Self-Sufficiency . . . . . 18
10.7 Senior and Adult Services . . . . . 18

11. Transportation . . . . . 19

12. Utilities and Infrastructure . . . . . 20
12.1 Energy . . . . . 20

## 1. Children and Families

1.1 Child Welfare Services

17. **Support proposals that enhance and improve child safety. (Requested by the Department of Children and Family Services (DCFS))**

**Justification:** DCFS recommends that this item be added because ensuring the safety and well-being of children is central to its mission.

1.2 Child Welfare Services – Foster Care

17. **Support proposals that reduce use of out-of-home placement because the best interests of children are served when they can safely remain with their parents or guardian. (Requested by DCFS)**

**Justification:** According to DCFS, the best interests of children are served when they can be safely maintained with their parents. If out-of-home placement is necessary, then the least restrictive environment for the shortest amount of time is essential.

## 2. Environmental, Natural Resources and Recreation

2.1 Air Quality

10. **Support measures that would require local air districts, through their On-Road Vehicle Mitigation Options, to give credit for emissions reduction to employers for their employees commuting in hybrid vehicles that have a minimum Federal Environmental Protection Agency rating of 30 miles per gallon (city). (Requested by Public Works (DPW))**

**Justification:** DPW indicates that currently, the South Coast Air Quality Management District (AQMD) only gives employers credit for their employees who come to work in alternatively-fueled vehicles or by bicycle, carpool, or public transportation. Air districts currently do not receive credit at the State level for emissions reductions from hybrid vehicles. The AQMD indicated that it will only give employers credit for their employees driving hybrids to and from work if legislation is passed requiring them to do so and that legislation must also be passed to require the Air Resources Board to give the air districts credit for the emissions reductions related to the use of hybrids.

DPW indicates that if employers received credit for their employees driving hybrids to work, employers could create additional incentives for employees to consider purchasing and driving a hybrid to work. Hybrids reduce fuel use and thereby reduce emissions by an estimated 30 percent or more. The Internal Services Department and CEO Workplace Programs concur with DPW's recommendation.

2.2 Beaches

7. **Support ongoing funding for local agencies for the operation and maintenance of State-owned beaches, such as Will Rogers State Beach and Dockweiler State Beach. (Requested by the Department of Beaches and Harbors (DBH))**

**Justification:** DBH indicates this policy is necessary to emphasize that sufficient funding be provided for State beaches operated by the County.

2.4 Parks

6. Support funding for after-school programs in park facilities and schools operated by parks and recreation agencies, **with special incentives and funding for programs in identified high-crime areas. (Requested by the Department of Regional Planning (DRP))**

**Justification:** DRP indicates that there have been several efforts at increasing public programs and after-school events in targeted high-crime neighborhoods that have resulted in lowered crime rates. The Department of Parks and Recreation concurs with DRP's requested revision.

2.6 Water Supply

10. **Support legislation that enhances the ability of water purveyors to achieve water conservation objectives through the use of tiered water rates which are defined to provide greater flexibility to the purveyor and increase the incentive to the customer. (Requested by DPW))**

**Justification:** The Governor signed AB 2882 (Wolk) which addresses tiered water rates. DPW indicates that tiered water rates are recognized as an essential tool to be used by water purveyors to encourage water conservation by the purveyor's customers. Excessive water users pay a premium for use that is deemed unreasonable based on various factors. DPW indicates that the County should support changes to the legislation defining the characteristics of tiered water rates to provide greater flexibility to the purveyor and increasing the incentive to the customer.

## 3. General Government

3.1 Retirement, Compensation and Benefits, and Worker's Compensation

12. **Support legislation to allow any Los Angeles County employee who becomes permanently incapacitated in the performance of his or her duty as a direct consequence of an injury or disease arising out of active service while on military leave, to be eligible for retirement for non-service**

**connected disability regardless of age and years of service. This legislation would also provide normal benefits to the surviving spouse of a person retired under these circumstances. (Requested by CEO Compensation)**

**Justification:** Currently, an employee must complete a five-year vesting period to qualify for retirement benefits. This proposal would waive the vesting period for those employees who are sent overseas on a military assignment and are injured sufficiently to otherwise qualify for a disability retirement. The other benefits afforded to such a retiree would also be granted.

3.2 Land Use Planning

4. ~~Oppose legislation which prohibits local governments from applying certain zoning regulations to certain categories of land uses, such as the State's requirement that local jurisdictions may not require a discretionary zoning permit for community care facilities and certain classes of child care facilities.~~ **(Requested by DRP)**

**Justification:** DRP indicates that this policy is confusing and redundant, as the point about maintaining local control in land use decision-making authority is included in policy # 1 under Land Use Planning.

8. **Support legislation that clarifies the criteria for California Environmental Quality Act exemptions for affordable housing, infill development, and farmworker housing to ensure they are utilized by local jurisdictions. (Requested by DRP)**

**Justification:** The current California Environmental Quality Act (CEQA) exemptions for affordable housing are rarely used by developers because there is another layer of regulatory and administrative requirements that developers must meet that they do not have to address for projects that do not involve affordable housing. Therefore, developers are reluctant to apply for CEQA exemptions for affordable housing projects.

9. **Support legislation that requires the State to disclose how it computes the Regional Housing Needs Assessment allocations including how local information is used in these calculations. (Requested by DRP)**

**Justification:** DRP indicates that the Regional Housing Needs Assessments (RHNA) allocations are determined by the Southern California Association of Governments. The intent of this policy is to understand how the allocations are determined, and how local information is incorporated into the RHNA allocations. DRP believes the County's allocations are high; however, it is not able to understand or challenge them because it is not clear how they were determined.

10. **Oppose legislation that requires the eligibility criteria for competitive affordable housing grants to include meeting the local jurisdiction's Regional Housing Needs Assessment (RHNA) allocation goal because the State has not disclosed how RHNA is calculated or how local information is used in these calculations. (Requested by DRP)**

**Justification:** The intent of this policy is to ensure that the County is not punished for not building a certain amount of units within a certain time period. There are many aspects of the housing market that are beyond the control or scope of County regulations, so it is unfair to withhold funds if the County has not reached those goals.

11. **Support legislation that provides builders and/or developers incentives to incorporate Universal Design/Visitability features which insure safe, easy access into all housing including new or converted dwellings or multifamily units for all persons, regardless of age or physical disability. (Requested by DRP)**

**Justification:** According to DRP, since 1989, at least 25 locations throughout the country have adopted universal design standards that include: at least one no-step entrance, all doors and openings with a minimum 32 inches clearance, reinforcements in bathroom walls around the toilet and bathtub/shower for installing grab bars, and light switches between 15 inches and 48 inches from the floor. Universal Design is seen as the solution to ensuring safe, easy access into all housing for all persons, regardless of age or level of impairment.

12. **Support funding for counties and other local agencies for outreach programs to educate communities on how to integrate green building concepts into their lifestyles. (Requested by DRP)**

**Justification:** DRP indicates that the County's Green Building Program will become effective in 2009 and serve to ensure that future developments in the County meet regionally specific standards for sustainability. However, residents who are not building or remodeling also need to be educated on how to reduce electricity and water consumption. Outreach programs can include: updating the Department's sustainability manual; providing technical assistance at the Department's front counter, in field offices and over the telephone; providing assistance from a third-party certified planner and landscape architect; presentations and workshops to real estate agents and brokers, schools, libraries, churches, Town Councils, Area Planning Councils, and Councils of Governments; and providing resource centers that distribute green material samples and information.

13. **Support legislation that amends the State Subdivision Map Act to allow local jurisdictions the option to require not only larger tract maps but also smaller subdivision projects to provide a water supply availability**

**assessment and/or proof of water source prior to tentative map approval to ensure adequacy of water supply. (Requested by DRP)**

**Justification:** DRP indicates that water supply is a significant Statewide concern and more subdivision projects should be required to provide further analysis to ensure that adequate water supply will be available. It is in the public interest to evaluate more information before a decision-making body determines whether a land division is appropriate and reasonable expectation of development can occur.

3.4 Consumer Protection

9. **Oppose measures that expand commercial use of individual medical records for direct marketing or promotional purposes since this is not only an invasion of patients' medical privacy and implied confidentiality, but it may also disclose their private health, medical, and diagnostic information without their permission. (Requested by the Commission on HIV)**

**Justification:** The Commission on HIV notes that during this year's legislative session, AB 1587 (De La Torre) proposed the use of individual pharmacy records to target direct marketing to patients with certain medical diagnoses. The Commission believes this is not only an invasion of patients' medical privacy and a breach of implied confidentiality, but it is concerned that it may violate the intent of the Health Insurance Portability and Accountability Act and may disclose patients' private health, medical and diagnostic information without their permission.

3.6 Child Support Administration

1. ~~Support legislation to allow counties to relinquish all responsibility for the local child support program to the State~~. **(Requested by Child Support Services)**

**Justification:** The Department believes that this policy should be rescinded to the extent that the Department collects revenue for Los Angeles County.

5. **Support legislation to improve collection of child support orders including: (Requested by Child Support Services)**

   a. **Proposals that seek to base an initial child support order contained in a default judgment on the parent's actual income, instead of presuming that the parent works full-time earning a minimum wage, which often exceeds the income actually earned. This alternative could result in more accurate child support orders and greater compliance because parents with presumed income orders are often financially unable to comply with the order.**

**Justification:** Currently, when a local child support agency (LCSA) establishes an initial child support order against a parent, and the LCSA is unable to obtain evidence of

the parent's income, the law requires that in default cases, the LCSA obtain a child support order by presuming that the parent works full-time earning minimum wage. This type of order is called a "presumed income order". Very often, the presumed income exceeds the income actually earned. Parents with presumed income orders are often financially unable to comply with the order. Various studies have shown that when the amount of a child support order exceeds 20 percent of the parent's income, the parent is less likely to comply with the order. Under certain circumstances, a parent can seek relief form the presumed income order.

Legislation relieving LCSAs of the requirement, in default cases, to base an initial support order on presumed income, and allowing an LCSA to use actual income, would result in LCSAs obtaining more accurate child support orders in default cases. More accurate orders would enable the Department to collect more child support on a consistent basis and pass those collections on to the families of Los Angeles County, or to the County, as appropriate.

b. **Proposals that seek to enable local child support agencies to collect child support from non-traditional sources of income such as intercepting gaming proceeds paid to parents who owe past-due child support. This would allow the Child Support Services Department to collect more child support for the families of Los Angeles County.**

**Justification:** Federal and State law provide an LCSA with various enforcement remedies to collect current and past-due support. LCSAs are always looking for untapped sources of income from which support can be intercepted or collected. One untapped source is gambling winnings from card houses and race tracks received by support obligors who owe past-due child support. Currently there is no streamlined system that allows a California LCSA to intercept these winnings. Rather, an LCSA would have to become aware of the winnings, determine where the obligor has deposited the winnings, and then attempt to levy on the obligor's bank account. By the time a levy is affected, the obligor could easily move or spend the money.

The State of Colorado has implemented a system whereby LCSAs intercept gambling winnings that child support obligors receive from card houses. By all accounts, the pilot program has been very successful. We believe that legislation allowing LCSAs to intercept this type of income at the time the winnings are paid, would allow the Department to collect more child support and pass those collections on to the families of Los Angeles County or to the County, as appropriate.

c. **Proposals to reduce the child support order guideline, which is currently 25 percent of parent's net income, for low-income parents which would result in a higher compliance rate by low-income parents and enable the Child Support Services Department to collect more child support for the families of Los Angeles County.**

**Justification:** In the State of California, the amount of child support a parent can be ordered to pay is calculated according to a "guideline" in the Family Code. Use of this equation is mandatory. Instead of manually calculating support under the equation, most Family Law practitioners and judicial officers use a computer program to perform the calculation. The current guideline is 25 percent of the parent's net income. The Judicial Counsel of California is statutorily required to review the guideline every four years. The guideline will be up for review in 2009. The Department believes that legislation further adjusting the guideline for low-income parents would result in a higher compliance rate by low-income parents. Higher compliance would enable the Department to collect more child support for the families in Los Angeles County or for the County, as appropriate.

d. **Proposals to increase collections by developing data matches between counties and local child support agencies, including data matches for individuals who contract with or receive a license or permit from a county, to the extent the information is public, which would yield specific information enabling the local child support agency to locate the assets of more parents who owe child support and collect more child support for the families of Los Angeles County.**

**Justification:** Federal and State law provide an LCSA with various enforcement remedies to collect current and past-due support. In this age of information, LCSAs are always looking for untapped sources of information about child support obligors, particularly those obligors who evade their child support obligations. One such source is the records maintained by various county departments regarding individuals with whom the departments contract or regarding individuals to whom the department issues a license or permit. Legislation allowing LCSAs to conduct a data match of the records maintained by these county agencies would yield specific identifying information enabling the LCSA to locate more child support obligors or their assets and eventually collect more child support for the families of Los Angeles County.

e. **Proposals to eliminate the accrual of interest on both assigned and unassigned support arrears, because currently the principal and interest owed is so high that many parents become discouraged and avoid paying the support arrearages altogether. By making the amount owed more manageable, it is likely that more parents who owe child support would comply with paying the amount owed in arrears.**

**Justification:** Under existing law, a child or spousal support judgment/order accrues interest at the rate of ten percent per year. When a support obligor fails to comply with a support order, a support arrearage accumulates. At the very least, the arrearage consists of the amount of unpaid support plus the interest that accrues on the unpaid support. The Department has found that in many cases, the sum of the principal and interest is so high that many support obligors become discouraged and avoid paying the support arrearages altogether. Other times, a support obligor is financially unable to make a payment towards the arrears that will cover both the principal and the interest.

Starting January 1, 2009, support arrears payments will be applied differently. Arrears payments will be applied first to the principal, and then to the interest. This is one attempt to mitigate the discouraging effect large interest accumulations have on parents who owe support arrearages. This attempt however, may not go far enough. Legislation that would prospectively eliminate interest on arrears altogether would likely result in far fewer cases of unwieldy interest accumulations. Because the arrears amount would appear more manageable, it is likely that fewer support obligors would avoid paying their arrearages. If more support obligors paid arrearages, the Department could collect more support money and pass the support on to the families of Los Angeles County or to the County, as appropriate.

3.11 Library Services

8. **Oppose proposals to borrow local property taxes under the provisions of Proposition 1A of 2004, including the County Library's dedicated share of property taxes since the library does not have a contingency fund or alternate funding to backfill potential major reductions in revenue, which could result in reducing hours and services to the public. (Requested by the Public Library)**

**Justification:** As a dependent special district, the County Library receives approximately 52 percent of its operating revenue from a dedicated share of one percent of property tax funding. In addition, since the ERAF shifts of the early 1990s, the Library also receives General Fund support which amounts to about 24 percent of its operating revenue. Both of these funding streams are vulnerable to State borrowing. The Library does not have a contingency fund to backfill potential major reductions in revenue. Faced with a loss of property tax revenue to State borrowing, the Public Library would have no alternative except to reduce hours and services to the public.

9. **Support proposals that fund or provide access to financial literacy materials in community-based organizations, consumer counseling organizations, educational institutions, government, and financial institutions. (Requested by the Public Library)**

**Justification:** Libraries already provide this type of information so any additional support that might come through legislation of this type would enhance these services.

## 4. Health

4.1 Financing of the Safety Net

16. **Oppose unnecessary requirements that would be a burden to public hospitals, such as mandating inflexible hospital staffing ratios,**

**community benefits reporting, and 8-hour written notice to employees who work overtime. (Requested by the Department of Health Services (DHS))**

**Justification:** DHS indicates that this policy is needed to oppose unnecessary requirements that are a burden on public hospitals, such as mandating inflexible hospital staffing ratios, community benefits reporting (which may be appropriate for private hospitals, but redundant for public hospitals which operate for the public benefit), and 8-hour written notice to employees who work overtime. The County opposed AB 503 of 2007 which would have mandated this notice.

4.2 Emergency and Trauma Care

6. **Support proposals that promote the development of a Statewide trauma care system to provide a more comprehensive and coordinated system and more effective response in the event of a disaster. (Requested by DHS)**

**Justification:** DHS indicates that currently the trauma care system in the State is fragmented and would be more effective if there was a Statewide trauma care system to provide a more comprehensive and coordinated system. California has no comprehensive Statewide plan for system evaluation, quality improvement or data utilization. Only a few Local Emergency Medical Services Agencies (LEMSAs) currently submit data to the State and comprehensive analysis of EMS system information is not possible. With a few exceptions at the local level, data linkages do not exist between dispatch, first responder, Emergency Medical Services (EMS), the emergency department, the hospital or the coroner. No centralized data integration occurs between the California Highway Patrol, the Fire Marshal, EMS, the Office of Statewide Health Planning and Development (OSHPD) or county mortality, injury and illness statistics. Pre-established standards, criteria and outcome parameters to evaluate resource utilization, scope of services, and effectiveness of policies and procedures do not exist.

At the State level, there is no clear continuum between quality improvement, remediation, focused continuing education, and formal certificate review for individual patient care practitioners. The establishment of a Statewide trauma care system would enable the State to gather pertinent data from all entities to develop appropriate guidelines for a more comprehensive and coordinated system for the health and welfare of the patients and more effective emergency response in the event of a major disaster.

7. **Oppose proposals that reduce county medical control over local Emergency Medical Services (EMS) providers through the Local Emergency Medical Services Agency (LEMSA), such as prior legislative attempts to reduce county authority over medical control of EMS providers by moving it to cities, which has the potential to fragment the system and allow different levels of service, including patient care, within a county. (Requested by DHS)**

**Justification:** DHS indicates that there have been prior legislative attempts to reduce County authority over the medical control of EMS providers by moving it to cities. This has the strong potential to fragment the system, thereby allowing different levels of services, including patient care, throughout a single county. Additionally, system wide response in time of large disasters would be weakened by this fragmentation.

4.3 Medi-Cal and Healthy Families

20. **Support proposals that allow counties and school districts to continue to match funds to obtain Federal reimbursement of costs involving Medi-Cal Administrative Activities (MAA), which would allow the County and school districts to continue to recover costs associated with Medi-Cal enrollments, and would allow the County to continue to offer Medi-Cal enrollment assistance to uninsured low-income families. (Requested by the Department of Public Health (DPH))**

**Justification:** DPH indicates that the continued ability to claim and match MAA eligible reimbursements will allow the County and school districts to recover costs associated with Medicaid (Medi-Cal) enrollments expended by County and County contracted staff. The additional income will allow the County to continue to offer Medi-Cal enrollment assistance to uninsured low-income families.

4.4 Health Insurance and Coverage

15. **Support proposals that extend Medi-Cal eligibility to individuals who meet the definition of a frequent user of health services and who meet income requirements for the existing Medi-Cal medically needy program, which would result in less costly treatment and a healthier outcome for patients who repeatedly use emergency rooms for medical crises. (Requested by DHS)**

**Justification:** DHS indicates that this would fund programs for frequent users of health care who require costly medical services and repeatedly use emergency rooms and hospitals for medical crises, to obtain continuous, coordinated preventive care, resulting in less costly treatment and a healthier outcome for patients. DHS notes that this position is consistent with County support for SB 1738 (Steinberg) on July 9, 2008, which would have established a three-year pilot program to provide intensive services to 2,500 Medi-Cal beneficiaries defined as frequent-users of health care.

4.6 Public Health

23. ~~Support measures that expand funding to increase the number of farmers' markets in underserved neighborhoods to enhance opportunities for residents to obtain fresh, nutritional food.~~ **Support proposals that increase the availability of healthy and affordable foods by increasing the number of grocery stores, farmers' markets, and community gardens, especially in low-**

**income communities, to improve the health of County residents. (Requested by DPH)**

**Justification:** DPH indicates that it has restated this policy to emphasize that the health of County residents is impacted when their neighborhoods lack places to buy and/or grow fresh fruits and vegetables; access to healthy foods can reduce obesity and related diseases such as hypertension and heart disease. In addition to fostering healthy eating habits, grocery stores become an economic anchor for other businesses, increasing the likelihood for economic development in the neighborhood.

24. **Support proposals that would increase the availability and affordability of immunizations, increase access to childhood, teen and adult immunizations in school, healthcare, workplace, medical settings and other appropriate settings, and increase funding of immunization programs to improve immunization coverage levels and reduce the incidence of vaccine preventable diseases. (Requested by DPH)**

**Justification:** DPH indicates that reduced access to preventive care services, including immunizations, can lead to increased morbidity, mortality, screening and treatment costs, hospitalizations, and emergency room use, as well as decreased productivity and quality of life. Studies demonstrate that removing financial barriers leads to increased vaccination rates. Although immunizations are one of the most effective public health measures and prevent severe illness, hospitalization and death, there is significant room for improvement of immunization coverage levels. Nearly 1 in 5 children in Los Angeles County is not up to date with all recommended immunizations and over 50 percent of adults over 50 years of age have not received a recommended annual influenza vaccination. Furthermore, significant racial/ethnic disparities in rates continue to prevail. Finally, recent concerns among some parents about vaccine safety threaten to erode coverage levels. Thus, there is a clear need to promote the adoption of strategies that have been proven to improve immunization levels such as integration into Welfare and Institutions Code programs, use of registries, and improved vaccine access.

25. **Support proposals that increase the prevalence and safety of sidewalks, walking trails, bike paths, and parks; promote safe walking and biking routes to schools and commercial districts; and promote complete streets, which make streets safe and accessible for all users including automobiles, pedestrians and bicyclists. (Requested by DPH)**

**Justification:** DPH indicates that 40 percent of all deaths in Los Angeles County are caused by heart disease and stroke, which are to a large degree preventable. Local governments make myriad land-use decisions that can create the conditions for healthy, livable cities. They can promote walking by designing walk/bike-friendly neighborhoods with access to parks and commercial districts; developing walking, jogging, and bike paths; and creating streets that are friendly to all users. The Department of Regional Planning concurs with DPH's recommendation.

26. **Support proposals that promote infill development, transit oriented development and the improvement of multi-modal transportation options, to encourage physical activity and improve the health of County residents. (Requested by DPH)**

**Justification:** DPH indicates that living a long distance from your job can have a number of negative health impacts. Additional driving time increases air pollution and associated lung conditions, and impacts mental health by increasing stress and decreasing interpersonal time. Housing far from urban centers makes it more difficult for people to engage in physical activity because long commutes leave little time for exercise; in fact the more time people spend in cars the more likely they are to be obese. Even people who engage in physical activity for as little as two hours per week appear to have a lower risk of death than people who get no exercise. Promoting the use of public transportation rather than car dependency can also improve health. For example, a nationwide study indicated that Americans who traveled by transit walked a median of 19 minutes a day to and from transit stops. The Department of Regional Planning concurs with DPH's recommendation.

27. **Support proposals that place sensitive sites, such as childcare centers, schools, and housing safely away from harmful sources of pollution such as freeways and industrial uses, to improve the health of County residents. (Requested by DPH)**

**Justification:** DPH indicates that air pollution can worsen asthma. Children with asthma living near a busy road are nearly three times more likely to visit the emergency room or be hospitalized for asthma symptoms than those who live in areas with less traffic. Living in proximity to major roadways during childhood has been demonstrated to reduce lung function later in life. Air pollution is also associated with increased severity of asthma symptoms in children and adults. In addition, exposure to high levels of certain types of air pollutants increases the risk of cardiovascular problems in adults. Particularly, high levels of air pollutants exist in the microenvironments near major pollution sources, such as freeways or certain factories. Cities and counties have an important role to play in protecting residents from such emissions by placing sensitive sites safely away from harmful emissions. The Department of Regional Planning concurs with DPH's recommendation.

## 5. Housing and Community Development

20. **Support the direct pass-through of Federal housing and community development funds to units of local government, including the County of Los Angeles, to be distributed in an equitable manner and without additional restrictions. (Requested by the Community Development Commission (CDC))**

**Justification:** If the funding allocated under Title III of H.R. 3221 addressing foreclosures goes to the State of California first for distribution, the CDC is concerned that there can be a substantial delay in local jurisdictions receiving the funds. The CDC

is also concerned about the possibility of the State including additional requirements or restrictions on the use of the funds. Direct funding would allow Los Angeles County to spend the funds in a timely manner and use the funds based on local needs. The CDC indicates that this policy statement would assist in the event that future legislation permits funding to be allocated through the State.

21. **Oppose legislation that decreases the flexibility that Public Housing Authorities have in the administration and use of public housing and Section 8 program funds. (Requested by the CDC)**

**Justification** The CDC indicates that Public Housing Authorities should be able to maintain discretion in determining enforcement actions and compliance with policies and practices, which may negatively impact the agency financially or programmatically. The ability to retain discretion allows the Housing Authority of the County of Los Angeles to make decisions that are in the best interests of its constituents and the agency. The CDC indicates that this flexibility is crucial in the administration of programs that are increasingly under-funded.

22. **Support legislation that promotes the State's adoption of the U.S. Department of Housing and Urban Development guidelines for calculation of rents and incomes for affordable housing to increase eligibility, rather than maintaining separate State standards which would reduce the number of individuals able to apply for affordable housing. (Requested by the CDC)**

**Justification:** The CDC indicates that the use of HUD income and rent criteria would provide consistency among all funding sources, including the State's Multifamily Housing Program, which uses the HUD criteria. Current State law requires the State Department of Housing and Community Development (HCD) to adopt HUD income levels up to 80 percent of Area Median Income (AMI). HCD is allowed to establish its own criteria for incomes above 80 percent of AMI. The result is that HCD calculates its own eligibility criteria above 80 percent of AMI which results in HCD's AMI being lower than HUD's 80 percent of AMI. Therefore, fewer families qualify for State housing programs and there is a greater difficulty in tracking affordable housing developments.

## 6. Justice and Public Safety

### 6.1 General

18. **Support legislation that would add code enforcement officials to the list of specified public employees and their families whose personal information should be kept confidential from public inspection or inquiry. (Requested by DRP)**

**Justification:** DRP indicates that several County employment categories are already granted confidentiality of personal information from inquiries by the public. These

categories include: county counsel, attorneys, judges, police dispatchers, child abuse investigators, and correctional officers. Each of these professions must deal with problematic people in their line of work. The confidentiality gives these employees protection from certain individuals who may wish to do harm to them or their properties due to actions and judgments imposed against these individuals for breaking laws. Zoning and other code enforcement officers must deal with problematic people on a daily basis as they are responsible for citing those who violate local code ordinances. Zoning and code enforcement officers are currently not covered by State confidentiality laws and should be given the same protection afforded to other certain other public employees.

19. **Support legislation to clarify the authority of law enforcement agencies to request information from a service provider on the location of a phone, cell phone, pager or other telecommunication device proximate to the commission of a crime affecting the life, health, or safety of a victim. (Requested by the Sheriff's Department and the CEO Public Safety Cluster)**

**Justification:** There are conflicting laws concerning the authority of law enforcement agencies and this proposal would assist the Sheriff's Department in locating the victim of a crime in progress.

20. **Support legislation to extend the sunset date for the definition of the crime grand theft of cargo goods beyond January 1, 2010. This designation has allowed the County to apply for Federal grant funding in support of a task force to reduce the occurrence of these crimes. (Requested by the Sheriff's Department)**

**Justification:** The Sheriff's Department currently receives Federal grant funding to reduce this crime. Funding is dependent upon the collection of data on this crime. Currently, the Sheriff's Department indicates that it does not have an independent methodology for capturing data for this specific crime. The theft of cargo has been a concern of the trucking industry as well as the port authorities. The expiration of this statute likely would result in the loss of Federal funds.

21. **Support legislation to waive State licensing fees for a health facility providing services to inmates located in a County detention facility and restore a license fee exemption for all County owned facilities. (Requested by the Sheriff's Department)**

**Justification:** The Sheriff's Department believes that the jail facility is being charged a disproportionately large licensing fee. The Department would support a proposal that would exempt all County facilities from this licensing fee as under previous law. The Department of Health Services concurs with this recommendation.

22. **Support legislation to allow the County to charge full civil process serving costs. (Requested by the Sheriff's Department)**

**Justification:** The Sheriff's Department has not increased fees for a number of years. The fees were last increased between 2000 and 2005. At the current levels, revenues are insufficient to cover expenditures requiring the Department to redirect funding from other sources. It is the Department's belief that this program should move toward fiscal self-sufficiency.

24. **Support legislation to eliminate the sunset date on a surcharge on basic vehicle registration fees imposed at local option to fund local vehicle theft prevention programs. Additionally, this proposal would support legislation to increase the surcharge from the current $1 per vehicle to $2 per vehicle. (Requested by the CEO Public Safety Cluster, the Sheriff's Department, and the Countywide Criminal Justice Coordination Committee.)**

**Justification:** The registration surcharge supports the Taskforce for Regional Auto Theft Prevention Program which investigates and prosecutes vehicle theft and related activities. According to the Sheriff's Department, since 1993, this program has been responsible for 6,949 arrests, served 3,066 warrants, and recovered 18,718 vehicles with an estimated value of $320 million.

6.4 Crime Lab

3. **Support additional State funding to expand the use of DNA collection and analysis to be used in criminal investigations and prosecutions. (Requested by the Sheriff's Department)**

**Justification:** The increased use of DNA would assist in the prosecution of additional persons.

6.8 Probation

11. **Support legislation to authorize local governments to participate with the appropriate State agencies in post-release program planning at State prisons for those inmates to be released in the County for the purpose of providing these inmates with effective treatment programs consistent with the maintenance of public safety. This program should be operated in a manner that provides the County with information on the needs of the parolee population prior to release so it may plan these services in a timely manner. (Requested by the Probation Department)**

**Justification:** This would allow County staff to meet with inmates prior to release to assist with a plan once the inmate is released from prison. Currently, County staff does not participate in the planning and evaluation of prison related treatment and programming. Better knowledge of the pre-release status of the inmate would assist the

County in developing a more effective plan for service when they are released from custody into the community.

12. **Support legislation to encourage State and local agencies to collaboratively prepare and implement inmate plans for treatment and programming at the earliest possible time during their incarceration in order to maximize the length of time available for effective treatment. (Requested by the Probation Department)**

**Justification:** The purpose of this legislation is: to provide the inmate with the most appropriate treatment and programming during incarceration in State prison so that he/she would be better able to adjust to living in the community; and to facilitate any additional treatment and programming in the community needed by the parolee after release. Full implementation of this proposal could alert supervisory personnel about deviations in compliance with the treatment plan which could be reported to all stakeholders as soon as possible as it may be an indicator that the treatment plan needs to be amended or that the offender needs to be returned to custody or charged with a new crime.

13. **Support legislation to require the State to provide full funding for the treatment and programming needs of its parolees in the community. (Requested by the Probation Department)**

**Justification:** The State currently does not pay for all services provided to parolees. Full reimbursement to the County of costs incurred by State parolees would free up other County resources to be used to serve additional County clients.

14. **Support legislation specifically authorizing day reporting centers for probationers. These centers are designed to increase supervision of probationers to ensure they receive appropriate types of program services and treatment. (Requested by the Probation Department)**

**Justification:** While the Probation Department has received funding to implement a day reporting center, current law does not specifically authorize these facilities.

15. **Support proposals to authorize the creation and operation of multi-disciplinary teams to share case information related to an adult probationer that is deemed appropriate to determine the proper treatment, supervision and disposition of that person. (Requested by the Probation Department)**

**Justification:** The sharing of information between parties may assist in the development of effective treatment and supervision programs for adult offenders. Multi-disciplinary teams currently are only used for juvenile offenders

6.9 ~~Anti-Terrorism~~ Disaster Preparedness

14. **Support measures that provide funding for hospitals to respond to disasters and emergencies. (Requested by DHS)**

**Justification:** DHS indicates that hospitals will need additional funding to adequately respond to disasters and emergencies.

## 8. Mental Health

16. Support legislation to fully fund a complete continuum of mental health services **and facility placements or housing options** for parolees released to the community. **(Requested by the Department of Mental Health (DMH))**

**Justification:** DMH notes that facility placements would include residential care facilities and supported independent living facilities, which would provide some form of mental health treatment.

23. **Support legislation that will allow county mental health departments greater flexibility regarding specific assistance such as transportation and wraparound services for children, funded through Early and Periodic, Screening, Diagnosis, and Treatment Medi-Cal in response to the Katie A. lawsuit, which is a negotiated settlement agreement requiring services to be provided in the home rather than in residential placements. (Requested by DMH)**

**Justification:** DMH indicates that the County has a negotiated settlement agreement for the Katie A. lawsuit. In this action, parents sued to have services provided in the home rather than in residential placements. Many of the services, including transportation and wraparound services that would provide support for these children in the community are not currently allowable for Medi-Cal billing due to the negotiated rehabilitation option that California has with the Federal government. In other states, legislative efforts have allowed the states to be able to bill for such services so that they are not solely paid for from county general funds. DMH indicates that this change could be accomplished in California through modification of the existing Federal waiver, and it will be necessary to pass State legislation to conform to the modifications needed in the waiver to bill for these services.

8.1 Residential Facility Safety

4. **Support legislation to require the State to regulate and establish standards for Sober Living Homes to ensure their safety. (Requested by DMH)**

**Justification:** DMH indicates that currently Sober Living Homes are not required to be licensed by Community Care Licensing and there is no regulatory agency that inspects

them and insures the safety of the homes. There have been numerous complaints in Los Angeles County regarding the running of these homes and client safety issues.

## 9. Revenue and Taxation

26. **Support legislation to promote Statewide uniformity of procedures and guidelines by the State Controller (SCO) for mandated functions performed by county auditor-controllers, such as property tax apportionments, management of administrative costs, accounting, and redevelopment activities. The lack of a consistent set of State guidelines creates financial exposure for counties when taxing entities make complaints based on these procedures, whose applicability the State has neither endorsed nor formally adopted. (Requested by the Auditor-Controller)**

**Justification:** This proposal addresses the need to establish Statewide guidelines sought by the county auditor-controllers to avoid inconsistent application of State rules and regulations. In the past, an advisory committee would develop these guidelines to ensure a consistent approach throughout the State. However, these guidelines, while prepared with the participation of the State Controller (SCO), were never endorsed by the SCO.

## 10. Social Services

### 10.1 Reforming the Safety Net and Promoting Self-Sufficiency

18. **Support proposals which provide for the uniform implementation of electronic signatures in social services programs including CalWORKs, Medi-Cal, Food Stamps, In-Home Supportive Services, and Child Welfare Services. (Requested by the Department of Public Social Services (DPSS))**

**Justification:** According to DPSS, State and Federal law support the use of electronic signatures in social services programs; however, State law does not provide guidelines for developing standards for the Statewide implementation of electronic signatures to ensure uniformity, inter-county compatibility, and program and automation system communications. This policy supports the development of a Statewide approach in the development of electronic signatures.

### 10.7 Senior and Adult Services

17. **Support proposals that would allow the County to recover costs associated with severe weather-related emergency services to Adult Protective Services clients. (Requested by Community and Senior Services)**

**Justification:** The California Department of Social Services has released severe weather emergency response plan protocols for ensuring the safety and well-being of

Adult Protective Services (APS) recipients. While the protocols refer specifically to heat alerts and other severe weather emergencies, there are other emergencies such as fires and earthquakes that will warrant local action in order to ensure the safety and well-being of APS recipients. The APS Program will be designated as a first responder in emergency situations that could affect elderly and disabled persons. State funding should be available to cover County costs incurred due to this additional mandate.

## 11. Transportation

3. Support funding for pedestrian **and bicycle-oriented** projects such as crosswalks, lighting, **bicycle lanes,** and traffic control**s that safely promote the use of self-powered modes of transportation. (Requested by DRP)**

**Justification:** DRP indicates that expanding this policy to include bicycle-oriented projects could extensively increase the scope of funding available for use by the County. Projects that ensure the safety of pedestrians often overlap with bicycle-oriented projects as they have many of the same goals and are focused in similar areas. DRP indicates that this amendment falls in line with other County policies as it will aid in reducing green house gas emissions, improve mobility and protect citizens who choose to employ alternative means of transportation.

~~6. Support reinstatement of State funding of the local 20 percent match for the Bridge Seismic Retrofit Program.~~ **(Requested by DPW)**

**Justification:** DPW recommends deleting this policy statement since these revenues are now reinstated through Proposition 1B Local Seismic Bridge Retrofit Program. Federal funding currently provides 88.53 percent of the construction costs through the Federal Highway Bridge Program. In November 2006, the California voters passed Proposition 1B authorizing the issuance of $19.925 billion in General Obligation Bonds for a variety of transportation uses throughout the State, including $125 million as local match (11.47 percent) for the Local Seismic Bridge Retrofit Program (LSBRP). Since the LSBRP is now 100 percent reimbursable, DPW suggests deleting this policy from the State Agenda.

~~16. Support legislation that provides for the repayment of $2.3 billion in sales tax revenues on gasoline that were retained in the State General Fund in Fiscal Years 2003-04 and 2004-05, and secure additional funding to fill the funding gap between Fiscal Years 2005-06 and 2008-09 for the local agencies that received funds from AB 2928 Traffic Congestion Relief Program.~~ **(Requested by DPW)**

**Justification:** DPW indicates that these revenues were fully paid to the County, including interest, on August 1, 2006 and August 2, 2006, and therefore recommends that this policy be deleted from the State Agenda.

## 12. Utilities and Infrastructure

### 12.1 Energy

12. **Support legislation to assist and encourage local businesses and homeowners to implement green energy programs (such as wind turbines, solar panels, and energy-efficient appliances) to reduce demand on local and regional power grids. (Requested by DRP)**

**Justification:** DRP indicates that to fully implement AB 32 (The Global Warming Solutions Act) all business and homeowners must participate in energy programs. Financial incentives that help with the initial up-front costs will encourage participation. The Internal Services Department concurs with this recommendation.