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Chief Executive Officer

## County of Los Angeles CHIEF EXECUTIVE OFFICE

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*"To Enrich Lives Through Effective And Caring Service"*

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December 08, 2015

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

Dear Supervisors:

**STATE LEGISLATIVE AGENDA FOR THE SECOND YEAR  
OF THE 2015-16 SESSION  
(ALL SUPERVISORIAL DISTRICTS AFFECTED)  
(3 VOTES)**

**SUBJECT**

The following recommendations represent the updated policies and proposals for the second year of the 2015-16 Legislative Session, which were developed in coordination with Board offices, County departments, and County Counsel. This package, together with other positions previously adopted by the Board, represents guiding principles for the County's advocacy efforts in Sacramento.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Approve the additions, deletions, and changes to existing Board-adopted policies and positions for inclusion in the 2015-16 State Legislative Agenda (Attachment I).
2. Instruct the Chief Executive Officer (CEO) and affected County departments to work with the Los Angeles County delegation, other counties and local governments, and stakeholders to pursue these policies, positions, and priorities in the State Legislature and with the Administration and its agencies.
3. Direct the Chief Executive Officer to advocate on the Board's behalf and to prepare and transmit the County's legislative positions in letters to the Legislature and the Governor.

4. Authorize the Sacramento advocates to pursue County-sponsored legislation to eliminate or extend the time period for individuals to file a petition for the resentencing of specified felonies to misdemeanors pursuant to Proposition 47, the Safe Neighborhoods and Schools Act of 2014 (Attachment II).

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The recommended changes seek to minimize the adverse impact of State actions on the County, achieve greater flexibility over the use of State funds, protect revenue sources for County-provided services, secure State financial assistance whenever possible, and promote the growth of the State and local economy.

#### **CALIFORNIA FISCAL OUTLOOK**

On June 24, 2015, Governor Brown signed the \$167.5 billion FY 2015-16 State Budget Act, which provides \$115.4 billion in State General Fund expenditures, and includes a \$1.1 billion reserve with a Rainy Day Fund balance of \$3.5 billion. In his signing message, the Governor noted that despite stronger revenues, the budget remains precariously balanced and the State faces billions of dollars in liabilities for deferred maintenance on aging infrastructure and for State retiree health care costs and pension benefits.

Upon signing the budget, the Governor also called the Legislature into two special sessions to continue work on two key fiscal issues related to transportation infrastructure and health care financing. The special session on transportation calls on the Legislature to consider legislation to enact permanent and sustainable funding to maintain and repair State and local transportation infrastructure. The amount of funding being considered for this purpose is in the range of \$4.4 billion to \$6.0 billion. The special session on health financing instructs the Legislature to enact a new Managed Care Organization (MCO) tax and/or alternative funding sources to provide: 1) at least \$1.1 billion annually to stabilize State General Fund costs for the Medi-Cal Program; 2) sufficient funding to continue the restoration of the 7 percent of In-Home Supportive Services (IHSS) hours beyond FY 2015-16; and 3) sufficient funding to provide additional rate increases for providers of Medi-Cal and developmental disability services. The Governor indicated that identifying permanent, sustainable funding outside of the State General Fund is necessary to prevent over \$1.0 billion in program cuts in FY 2016-17.

The Administration and the Legislature have not reached an agreement on these issues, and it is expected that the Legislature will resume the special sessions upon reconvening in January 2016.

On November 18, 2015, the Legislative Analyst's Office (LAO) released its fiscal outlook which estimates continued economic growth for California through 2020. The LAO projects that the State will collect approximately \$3.6 billion in additional revenues above the estimates included in the FY 2015-16 State Budget Act with most of the gain to be deposited into the Proposition 2, Rainy Day Fund. In FY 2016-17, the LAO estimates that revenues will exceed State spending resulting in further improvement in the State's fiscal outlook. Assuming no new budget commitments are made, the LAO projects a State budget reserve of \$11.5 billion at the end of FY 2016-17. Of this amount, the Legislature would have control over \$4.3 billion. The rest of the reserves would be held in the Rainy Day Fund for future budget emergencies.

The LAO notes that the State is better prepared for an economic downturn than it has been in decades and that given current estimates, the State can generally maintain its current policies over the outlook period. However, if the Legislature were to make new budget commitments in FY 2016-17, it would be more likely to face difficult choices, such as spending cuts or tax increases in the next economic downturn.

## COUNTY LEGISLATIVE PRIORITIES

Unless otherwise instructed by the Board, the County's initial advocacy priorities in 2016 will be primarily concentrated on health care financing, funding for the County's correctional system, diversion and re-entry programs, homeless services programs, and affordable housing as listed below.

**Health Care Financing.** The Administration and the Legislature will consider two health care issues in 2016 of major interest to the County. As noted above, the Governor directed the Legislature to enact a new \$1.1 billion MCO tax or an alternative funding source to stabilize the Medi-Cal Program and has indicated that identifying permanent, sustainable funding for health care outside of the State General Fund is necessary to prevent over \$1.0 billion in program cuts. The Administration and Legislature have not reached an agreement on the MCO tax; therefore, it is likely that the Governor's FY 2016-17 Proposed Budget will include significant cuts to health and human services programs administered by the County. The second health care issue is California's renewal of the 1115 Medicaid Waiver. On October 31, 2015, the State and the Federal Centers for Medicare and Medicaid announced a conceptual agreement on a new 5-year 1115 Medicaid Waiver and a temporary extension of the existing waiver until December 31, 2015. The State and Federal governments are negotiating the details of the final waiver agreement. Once the waiver agreement is finalized, the State must enact legislation to implement its provisions. Funding available through the new waiver is vital for the County and for the ongoing successful implementation of the Affordable Care Act (ACA).

Therefore, the County will: 1) advocate in support of the State identifying alternative funding sources to stabilize and sustain the Medi-Cal Program and will oppose proposals that would redirect funding from the County to offset State General Fund costs and/or that would repeal or modify the existing IHSS Maintenance of Effort which would result in a cost shift to counties; and 2) work in collaboration with the Administration, the Legislature, and other stakeholders to ensure that the final 1115 Medicaid Waiver agreement and enacting legislation maximizes funding for services and facilities to support and strengthen the County's health care system, and further expand coverage and access for low-income individuals, as provided under the ACA.

**Funding for the County's Correctional System.** Under the 2011 Public Safety Realignment, the County is now responsible for overseeing more serious offenders for longer periods of time, including many who suffer from chronic mental health, substance abuse, and medical issues. The County currently lacks sufficient resources to provide adequate in-custody and community-based services to treat and rehabilitate this hard-to-serve population. Pursuant to the County-sponsored language included in AB 1468 of 2014, the County has been working with the California Department of Finance to identify potential options by which the State can assist to address the service and infrastructure needs of the County's correctional system. The County will continue to work closely with the Administration to pursue options presented in AB 1468, including assisting the County with correctional facility infrastructure needs, expanding correctional treatment programs, and establishing collaborative rehabilitative programs between the State and local criminal justice systems.

**Diversion and Re-Entry Programs.** This year, the Board established the Office of Diversion and Re-Entry to centrally oversee diversion for persons who have mental illness or substance abuse issues and who are homeless or at risk of becoming homeless and to improve the coordination and implementation of diversion efforts throughout the County. This office will work with affected County departments and stakeholders to identify and support proposals that enhance and expand multi-disciplinary treatment and supportive services to help stabilize and/or rehabilitate vulnerable populations. The County will advocate for proposals that provide funding to enhance programs to provide comprehensive rehabilitation, recidivism, and diversion programs for individuals at high risk of incarceration.

**Homeless Services Programs.** Consistent with Board adopted initiatives to help reduce the number of families and single persons falling into homelessness, provide services to help homeless persons remain housed, and provide coordinated services for homeless families and single persons, including: health, behavioral health and substance use disorder treatment; income, rental and housing assistance; education; and job training and placement, this office will seek State assistance to gain program flexibility and secure financial assistance to support vital homeless assistance services. Specifically, the County will focus its advocacy on proposals that: 1) fund initiatives to reduce and prevent homelessness; 2) expand the availability of permanent supportive housing that provide coordinated services; and 3) allow counties to maximize and leverage Federal, State and local funds to provide services for at-risk and homeless families and single persons.

**Affordable Housing.** There is a critical ongoing need to increase the availability of permanent, affordable housing for low-income families and individuals living in Los Angeles County. To address this issue, the Board directed the Chief Executive Officer to identify \$20.0 million in FY 2016-17, with the goal of reaching \$100.0 million annually in new funding by FY 2020-21 for affordable housing programs. The funding would be allocated to support the production of new, or preservation of existing, affordable housing for very low and extremely low-income or homeless households. The County will seek and advocate for proposals that secure State assistance for the establishment of a permanent, sustainable source of funding for affordable housing and/or establish partnerships to fund initiatives that expand the availability of affordable housing. In addition, the County will support proposals to allow counties to maximize and leverage Federal, State and local funds for this purpose.

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

The recommended changes in the attachment represent requests from this office, departments and commissions, and Board offices to add or modify policy statements consistent with existing operational goals and plans. New policy statements represent emerging programs and issues for which we are seeking the Board's concurrence to guide future advocacy efforts in Sacramento. In addition, some policies are no longer applicable, and therefore, have been removed.

All other previously Board-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 and approval of the changes included in this letter.

**Implementation of Strategic Plan Goals**

The proposed policies in the State Legislative Agenda are consistent with the County's Strategic Plan Goals of Operational Effectiveness and Fiscal Sustainability. Operational Effectiveness is achieved by providing timely advocacy on proposals that could significantly impact the County and support the delivery of efficient public services. Fiscal Sustainability results from efforts by the CEO and County departments to sustain essential services through proactive and prudent fiscal policies.

**FISCAL IMPACT/FINANCING**

NONE

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

NONE

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

No impact on current services.

**CONCLUSION**

The recommended additions, deletions, and changes to existing adopted policies are submitted for the Board's consideration as guiding principles for inclusion in the State Legislative Agenda for the second year of the 2015-16 Legislative Session. This office will ensure that all legislative positions pursued are communicated to the Board, and that Board offices are provided the opportunity for input on those positions prior to any initial advocacy.

The policies and proposals contained in this package are in addition to, and are not intended to replace or be exclusive of any position the Board may adopt at any time during the year. As in the past, the State Legislative Agenda will be updated to reflect subsequent Board actions and will be shared with all County departments subsequent to Board approval.

The Honorable Board of Supervisors

12/8/2015

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sachi A. Hamai". The signature is fluid and cursive, with a long horizontal stroke at the end.

SACHI A. HAMAI

Chief Executive Officer

SAH:JJ:MR

VE:IGEA:ma

Enclosures

c: Executive Office, Board of Supervisors  
County Counsel  
Auditor-Controller



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RECOMMENDED CHANGES TO THE  
2015-16 STATE LEGISLATIVE AGENDA

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**RECOMMENDED STATE LEGISLATIVE POLICIES ADDRESSING ISSUES OF  
MAJOR COUNTY INTEREST**

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## 1. CHILDREN AND FAMILIES

### 1.1 Child Welfare Services

#### 24. Support proposals that allow child welfare agencies to access sealed juvenile court records to determine the re-entry, appropriate placement and needed services for youth.

**Justification:** AB 666 (Chapter 368, Statutes of 2015) and AB 989 (Chapter 375, Statutes of 2015) allow certain agencies to access, inspect, or utilize sealed records, effective January 1, 2016. According to County Counsel and the Department of Children and Family Services, child welfare agencies are not among those listed entities, and as a result, social workers are unable to review sealed juvenile probation records when they are assessing the youth's re-entry into foster care or into the juvenile probationary system. Child welfare agencies need such access to sealed juvenile court records to determine appropriate placement, mental health referrals and other supervisory services for the youth. The new policy would allow the County to support any potential clean-up legislative proposals that make necessary changes to AB 666 and AB 989. **(Requested by the Department of Children and Family Services and County Counsel)**

### 1.2 Child Welfare Services – Foster Care

#### 24. Support proposals to fund county activities related to monitoring the administration of psychotropic medication prescribed to children in foster care.

**Justification:** In 2015, the Legislature approved and the Governor signed a package of bills regarding the administration of psychotropic medication to children in foster care. The legislation requires public health nurses to monitor the medical, dental, mental and developmental needs of children and youth in foster care, and requires the State to develop certification and training programs for foster parents, child welfare social workers, group home administrators, public health nurses, dependency court judges and court-appointed council on psychotropic medication. The Legislature is expected to act on additional measures related to this issue in 2016. This policy will allow the Sacramento advocates to support proposals to fund new mandated requirements related to the administration of psychotropic medication prescribed to children in foster care. **(Requested by the Department of Public Health, concurred by the Department of Mental Health and the Department of Children and Family Services).**

### 1.3 Child Care and Child Development

#### 9. Support proposals that expand the supply of early care and education services through facility development in communities with a significant shortage of these services.

**Justification:** According to the Office of Child Care and the Policy Roundtable for Child Care and Development, facility development to meet the need for early care and education services for Los Angeles County's children and families, especially those most in need, is a critical issue as demand continues to outweigh supply. This policy revision underscores the importance of supporting early care and education facilities development in communities with a severe shortage of these services. **(Requested by the Office of Child Care and the Policy Roundtable for Child Care and Development, concurred by the Office of Child Care)**

## 2. ENVIRONMENT, NATURAL RESOURCES AND RECREATION

### 2.3 Environmental Protection and Open Space

9. Support legislation that streamlines State agencies' permitting the processes, clarifies State application information requirements, reduces delays in approval times, and reduces the cost for acquiring permits from State agencies for construction, ~~and~~ maintenance projects, and ~~emergency~~ actions taken by public agencies to protect public health and safety due to emergencies, such as fires, floods and earthquakes; and support legislation that would require State regulatory agencies to report regularly on their performance in complying with the State's Permit Streamlining Act.

**Justification:** The Department of Public Works reports that State resource agencies often require multiple levels of review of Lead Agency certified environmental documents, which may result in altered project descriptions or require new certification of the environmental documents. The Department also reports that the State often deems permit applications incomplete, asks additional questions, and requests more information from the County, thereby not starting the clock on the processing deadlines set by State regulations. As a result, a process that is supposed to last 60 to 90 days may continue for 6 to 12 months and delay projects. Requiring State agencies to meet the permit approval timelines required by the Permit Streamlining Act and regularly report on their performance in complying with the Act will help reduce costs and promote expedited project delivery. **(Requested by the Department of Public Works)**

### 2.6 Water Supply

9. ~~Oppose legislation that restricts~~ Support legislation that increases the use of recycled water to support efforts that will increase local water supply needs and make local water supplies more sustainable. ~~for groundwater basin recharge or for any application, except direct potable reuse.~~

**Justification:** The Department of Public Works has played a significant role in the use of recycled water to augment groundwater and local water supply. With periodic droughts that have significantly impacted Los Angeles County, it is imperative that the County support efforts to increase local water supply to help meet the growing demand for water and reduce regional demand for imported water supplies. This increased use of recycled water for these purposes would be consistent with the California Water Code, which encourages the use of recycled water to meet water supply demands. **(Requested by the Department of Public Works)**

18. Support legislation that requires State agencies to prioritize review and approval of water infrastructure projects and programs that increase State and/or local water supplies, including water recycling, surface water treatment, stormwater capture, flood control, and groundwater recharge facilities and programs, among others.

**Justification:** Proposed new policy. The Department of Public Works indicates that Governor Brown's State of Emergency Executive Order (B-29-15, April 1, 2015), which was issued as a result of the severe ongoing drought conditions and depleted water supplies in California, includes provisions directing State permitting agencies to streamline and improve their review and approval processes for various water-related projects and facilities. This proposed new

policy is consistent with the Governor's Executive Order. **(Requested by the Department of Public Works)**

### 3. GENERAL GOVERNMENT

#### 3.2 Land Use Planning

16. Support legislation that would facilitate the County's ability to acquire and/or use government-owned land, buildings, and existing infrastructure to further local community needs.

**Justification:** Proposed new policy. This policy would allow the County to support measures which would enhance the County's ability to acquire, purchase, and/or use government-owned land, buildings, and other infrastructure in order to better support local communities. This would include the acquisition and use of local public properties deemed as surplus by the Federal and State government. **(Requested by the Chief Executive Office, concurred by County Counsel)**

#### 3.4 Consumer Protection and Fair Business Practices

8. Support proposals that allow counties to preserve the administration, structure, responsibilities and funding of the Dispute Resolution Program.

**Justification:** The Department of Community and Senior Services (CSS) has administered the Dispute Resolution Program (DRP) since 1986. Mediation services are provided county-wide by 12 service agency contractors. The DRP does community work through education and teaching strategies and best practices to deal with disagreements, disputes, and other acrimonious situations. If not addressed in mediation, these matters may end up in the courts which incurs higher costs. According to CSS, the new policy would help to preserve this program, including its funding stream, which is operating well in Los Angeles County. **(Requested by the Department of Community and Senior Services, concurred by the Department of Consumer and Business Affairs)**

18. Support proposals that increase free access of consumers to their credit reports, scores and to simplify the process to correct credit report discrepancies, and improve the accuracy of credit reporting.

**Justification:** The Department of Consumer and Business Affairs (DCBA) reports that according to the Federal Trade Commission, 60 to 70 percent of credit reports have errors. DCBA indicates that improving the accuracy of credit reports would benefit consumers by increasing the fairness of the credit reporting system and expanding access to credit in some cases. This revised policy would allow the County to support proposals to increase free access to credit reports and simplify the credit dispute process, as well as proposals that increase credit report accuracy by improving the investigation and error resolution processes. **(Requested by the Department of Consumer and Business Affairs)**

29. Support proposals that increase assistance, accessibility and education for consumers in the marketplace.

**Justification:** The Department of Consumer and Business Affairs (DCBA) indicates that the existing policies do not sufficiently account for the services DCBA provides to consumers. In addition to providing consumers with complaint resolution assistance, the DCBA reports that it takes a proactive approach to protecting consumers through education and outreach to inform consumers about common frauds and making smart financial decisions. DCBA notes that "accessibility" in this policy refers to increasing the ability of disabled persons to access housing, goods, and services. Adding this policy would better reflect the services that DCBA provides to consumers and allow the County to support proposals that would provide for greater consumer assistance, accessibility, and outreach. **(Requested by the Department of Consumer and Business Affairs)**

3.7 ~~Local Agency Formation Commission~~ Local Government Reorganizations/County Boundary Changes

**Justification:** This subsection heading is changed to reflect that these policies state the County's policy positions regarding all proposed legislation pertaining to local governmental reorganizations or boundary changes, and not the Local Agency Formation Commission of Los Angeles County public agency. **(Requested by the Chief Executive Office – Unincorporated Area Services)**

1. Support legislation that ensures the revenue neutrality of local ~~reorganizations~~ boundary changes provided that it:
  - ~~a. Does not change statutes covering Local Agency Formation Commission (LAFCO) proceedings regarding special reorganizations filed before January 1, 2000.~~
  - ~~b. Is not retroactive to incorporations that took place before the effective date of the legislation enacting the change.~~

**Justification:** These policies are no longer needed, because the adoption of the Cortese-Knox-Hertzberg Act of 2000 established procedures for local government changes of organization, including city incorporations, annexations to a city or special district, and city and special district consolidations. **(Requested by Chief Executive Office – Unincorporated Area Services, concurred by County Counsel)**

- ~~c. Ensures that one element of the cost of services to be assumed by the incorporating entity shall be the cost of those services provided within the area by the State which will, subsequent to incorporation, be provided by the incorporating entity.~~

**Justification:** This policy is no longer needed because the Cortese-Knox-Hertzberg Act of 2000 specifically prohibits a local agency formation commission from approving a proposed incorporation if there's a difference between the revenues currently received by the County that will transfer to the new city and the costs of services that the new city will assume from the county (unless the local agency formation commission imposes terms and conditions that

mitigate the difference) **(Requested by the Chief Executive Office – Unincorporated Area Services, concurred by County Counsel)**

- a. d.—Ensures that the State will maintain revenue neutrality by transferring to the incorporating entity ongoing State revenue equal to the State's prior cost of providing those services.
- b. e.—Does not increase the duties and responsibilities of LAFCO or dictate expenditures for services without providing reimbursement through fees or from State sources.
- c. f.—Provides that in calculating the cost of service responsibilities being transferred in a reorganization, the LAFCO shall not consider those services funded from sources that were voter-approved or that, if re-enacted, would be subject to the provisions of Articles XIII C and D of the State Constitution.
- d. g.—Does not increase the fiscal liability of the County in annexations ~~and~~ incorporations, disincorporations, detachments, dissolutions, mergers, consolidations, and establishment of subsidiary districts.

**Justification:** The proposed revision to this policy is meant to ensure the County does not experience any fiscal liability as a result of any proposed or approved boundary changes. **(Requested by the Chief Executive Office – Unincorporated Area Services)**

- e. h.—Requires the appropriate transfer of Regional Housing Needs Allocation (RHNA) for annexations and incorporations; requires the submission of RHNA transfers as a part of the application for consideration of an annexation proposal by the LAFCO; and provides clarification for calculating the appropriate RHNA transfer.
2. Oppose legislation that requires LAFCO to review and make recommendations on urban expansion projects in outlying unincorporated areas or which would infringe on the County's local land use decision-making authority. ~~for efficient and adequate extensions of urban level infrastructure and services.~~

**Justification:** The proposed revision to this policy is meant to ensure the County's land use authority in the unincorporated areas is not superseded by or forfeited to the local agency formation commission. **(Requested by the Chief Executive Office – Unincorporated Area Services, concurred by County Counsel and the Department of Regional Planning)**

3. Oppose legislation or regulation that would result in net revenue loss to the County due to boundary changes.

**Justification:** Proposed new policy. This new policy is intended to minimize any potential adverse impacts on the County or unincorporated residents as a result of proposed boundary changes. **(Requested by Chief Executive Office – Unincorporated Area Services, concurred by County Counsel)**

4. *Oppose legislation that would infringe on or diminish the Board of Supervisors' participation in and decision-making authority on local boundary changes.*

**Justification:** Proposed new policy. The County should maintain its full authority to participate in the review process for proposed boundary changes, which are ultimately decided on by the local agency formation commission. In recognition of the diversity and variation between unincorporated communities, the Board directs County departments to review and evaluate each proposed city annexation or sphere of influence amendment on a case-by-case basis, and to negotiate with each city in good faith (as needed) to determine the fiscal, social, geographic, environmental and operations impact on the affected unincorporated community(s) and the County. If the Board lacks such authority to participate in the boundary change process, it may become burdened with financial obligations, debt services, and other liabilities which could impact the County's ability to adequately fund municipal services or the provision of regional services for existing constituents. **(Requested by the Chief Executive Office – Unincorporated Area Services, concurred by County Counsel)**

**3.13 Public Records**

7. *Support proposals to permit the secure electronic publishing of a Fictitious Business Name.*

**Justification:** Proposed new policy. The Registrar-Recorder/County Clerk (RR/CC) indicates that individuals seeking to operate a business under a Fictitious Business Name (FBN) must file a FBN Statement with a county clerk. The FBN must then be published in a local newspaper. The RR/CC reports that when County residents file a FBN at County facilities, filers are subject to aggressive solicitation by individuals and businesses seeking payment to publish a FBN in a local newspaper for the resident. Under current State law, the County is not allowed to electronically publish a FBN on its website. This new policy would allow the County to support proposals that would allow County residents to conveniently publish a FBN securely and electronically on the website of a county clerk instead of a local newspaper and accept electronic filings of proof of publications. **(Requested by the Registrar-Recorder/County Clerk)**

**3.15 Elections and Voting**

6. *Support proposals to facilitate the timely certification and implementation of secure technology developed for the County's Voting Systems Assessment Project.*

**Justification:** Proposed new policy. The Registrar-Recorder/County Clerk's (RR/CC) Voting Systems Assessment Project (VSAP) is seeking to modernize the County's aging voting system. The RR/CC indicates that some technology under development for the VSAP does not meet any technical definition currently in State law. The absence of a definition in State law for VSAP technology could present a barrier to certification by the Secretary of State. This proposal would allow the County to support proposals to add definitions to State law to facilitate the timely certification and implementation of VSAP technology. **(Requested by the Registrar-Recorder/County Clerk)**

### **3.18 Information Technology**

- 1. Support proposals to increase protections for electronic information managed and maintained by government agencies.**
- 2. Oppose proposals that would increase the risk of unauthorized access, use, disclosure, or modification of County information technology resources.**

**Justification:** Proposed new section and new policies. The Chief Information Office (CIO) indicates that the County's information systems are under constant risk due to cyber threats and that the CIO employs constantly evolving approaches to protect the County's information systems, mitigate cyber threats, and prevent data breaches. This new section and policies would allow the County to: 1) support proposals specific to information security and privacy safeguards for the protection of personally identifiable information, protected health information, and medical information stored on County information systems; and 2) oppose proposals that would increase the risk of a data breach, which could publicly expose personally identifiable information, protected health information, and medical information stored on County information systems. **(Requested by the Chief Information Office)**

### **3.19 Small Business Development**

**Justification:** Proposed new section. The new "Small Business Development" section will improve the organization of the State Legislative Agenda by breaking the large section on "Consumer Protection and Fair Business Practices" into two smaller sections so similar policies can be grouped together. **(Requested by the Chief Executive Office, concurred by the Department of Consumer and Business Affairs)**

- 1. Support proposals that would increase economic opportunities for small businesses.**

**Justification:** Proposed new policy. The DCBA indicates that its Small Business Services (SBS) unit fosters small business creation and development. The DCBA reports that the assistance the SBS unit provides includes connecting businesses to economic opportunities, a large component of which focuses on assisting small businesses obtain government contracts. This new policy would allow the County to support proposals that would increase business opportunities for small businesses to further economic growth. **(Requested by the Department of Consumer and Business Affairs)**

- 2. Support proposals that provide funding to educate small business owners on their rights and responsibilities to facilitate their compliance with applicable laws and regulations.**

**Justification:** Proposed new policy. The DCBA indicates that it is increasing its outreach to the small business community. The Department reports that providing information to small businesses is a key service it offers, which could be expanded if additional funding was obtained. This new policy would allow the County to support proposals that provide funding to increase outreach to educate small business owners on their rights and responsibilities. **(Requested by the Department of Consumer and Business Affairs)**

- 3. Support proposals to increase incentives for businesses to hire unemployed or underemployed workers.**

**Justification:** Proposed new policy. The DCBA reports that the Board has taken action on issues related to increasing job opportunities for the unemployed and underemployed. The Department notes that youth and recently incarcerated persons experience high unemployment and underemployment. On May 12, 2015, the Board approved a motion pertaining to assessing the feasibility of establishing a County preference program for enterprises that have a history of employing individuals recently released from incarceration. On July 21, 2015, the Board approved a motion instructing County departments to identify additional funding to train and employ additional youth. This policy would allow the County to support proposals to incentivize businesses to hire unemployed and underemployed workers, including youth and the recently incarcerated. **(Requested by the Department of Consumer and Business Affairs)**

#### 4. HEALTH

##### 4.2 Emergency and Trauma Care

5. Support proposals that would allow fire departments and ambulance companies that provide approved advanced life support services to restock drug supplies directly from pharmacies and/or utilize secured, on-site pharmaceutical dispensing machines.

**Justification:** The Department of Health Services, Emergency Medical Services Section reports that paramedics and ambulance companies need to carry controlled substances for conditions such as pain control, seizure control and agitation. Current law does not allow fire departments and ambulance companies that are approved by local EMS Agencies to utilize on-site pharmaceutical dispensing machines. These devices have sophisticated tracking mechanisms to document the exact times, and by whom, controlled substances are put into and dispensed out of the machines. This policy revision will allow the County's Sacramento advocates to support proposals to allow fire departments and ambulance companies to utilize pharmaceutical dispensing machines to stock controlled substances on-site. **(Requested by the Department of Health Services, concurred by the Fire Department)**

##### 4.6 Public Health

34. Support proposals that preserve medical services for children such as the California Children's Services and Child Health and Disability Prevention Programs.

**Justification:** According to the Department of Public Health (DPH), the State intends to redesign the California Children's Services (CCS) and Child Health and Disability Prevention (CHDP) programs, which provide treatment for medically fragile children and youth. DPH indicates that this could jeopardize access and continuity of care to medically necessary services. This new policy will allow the Sacramento advocates to support proposals to preserve these services. **(Requested by the Department of Public Health)**

35. Support proposals that improve laboratory testing and reporting of infectious disease pathogens by diagnostic laboratories to local health departments in order to track and to curtail infectious disease outbreaks.

**Justification:** The Department of Public Health indicates that current State law requires a number of infectious diseases to be reported to local health departments. The law also requires that certain isolates, when cultured, be sent to local public health laboratories for further testing. This helps local health departments "type" these isolates and use the results to track the source of a communicable disease outbreak. New laboratory testing techniques can identify a disease through molecular testing without a culture having to be grown; therefore, no sample for culture is sent to the local public health laboratory. According to DPH, this interferes with public health's ability to trace outbreaks, identify trends, and monitor drug resistant diseases, and endangers the public health. This new policy will allow the Sacramento advocates to support proposals that keep pace with new testing methods and to preserve the ability of public health departments to track and curtail infectious disease outbreaks. **(Requested by the Department of Public Health)**

## 6. JUSTICE AND PUBLIC SAFETY

### 6.1 General

~~13. 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.~~

**Justification:** AB 767 of 2013 eliminated the sunset date and increased the fee from \$1 to \$2 to fund local vehicle theft prevention programs; therefore, this policy is no longer needed. **(Requested by the Chief Executive Office)**

### 6.5 Custodial Facilities, ~~and~~ Population Management, ~~and~~ Recidivism Reduction Programs

**Justification:** Update to section name to better reflect the County's recidivism reduction goals.

14. Support proposals that allow counties to use a portion of inmate welfare funds to assist indigent inmates with the re-entry process after release from county jail, including for assistance with work placement, counseling, obtaining proper identification, education, and housing.

**Justification:** Proposed new policy. Existing law authorizes a sheriff to expend money from the inmate welfare fund to assist indigent inmates, prior to release, with clothes and transportation expenses. This policy would permit the County to support the continuation of the current statute that additionally allows specified counties, including Los Angeles, to use some of these funds for other supportive services up to 30 days after an inmate's release. Continuation of this program would help reduce recidivism to both the State and local criminal justice systems. **(Requested by the Sherriff's Department)**

15. Support legislation that allows inmates serving misdemeanor offenses and misdemeanor offenders in pre-trial to participate in educational programs and earn additional time credits based on educational milestones.

**Justification:** Proposed new policy. Under current statutes, inmates serving for a felony offense in county jail may participate in educational programs and earn additional time credits. This policy would allow the County to support proposals to allow inmates serving for misdemeanors, or in pre-trial, to also earn time credits for participating in educational programs. Allowing misdemeanants to earn additional time credits would reduce jail capacity, encourage inmate participation in recidivism reduction and diversion programs, and allow the County to maintain flexibility in how it meets local criminal justice needs. **(Requested by the Sheriff's Department, concurred by the Office of the District Attorney)**

16. Support and/or sponsor legislation that eliminates or extends the time period for individuals to file a petition for resentencing of specified felonies to misdemeanors pursuant to Proposition 47 of 2014.

**Justification:** Proposed new policy. Proposition 47, the Safe Neighborhoods and Schools Act, as approved by voters in November 2014, reduced certain non-serious and non-violent drug and property offenses from felonies to misdemeanors. The measure allows resentencing to misdemeanors for persons previously convicted of felony sentences for these offenses, unless the court finds there is an unreasonable public safety risk. Under its current provisions, any petition for resentencing must be filed within three years after the effective date of the Act, or by November 2017. The Public Defender and the Alternate Public Defender note that individuals whom were serving time for these crimes at the time of the passing of Proposition 47 have already been resentenced; however, resentencing for those persons with older records may extend back indefinitely. A search of available electronic records of approximately the past 25 years identified almost 700,000 potentially qualifying cases of Public Defender clients, and the Alternate Public Defender reports another 100,000 potentially eligible cases. Proposition 47 did not allocate resources to local agencies and public defenders for the purpose of resentencing. Considering the extensive workload and that currently only two years remain for petitioning, an extended timeline would allow county public defenders across the State the necessary time to assist those with older records whom petition for resentencing. In addition, deleting or extending the petition timeline would allow those with older records sufficient opportunity to reduce their convictions, providing them better access to jobs, housing, and other support services that promote more successful community re-integration and ideally, reduce the likelihood of recidivism. **(Requested by the Public Defender, concurred by the Alternate Public Defender)**

**6.8 Fire**

12. Support proposals which would increase funding for local fire prevention and fire safety services.

**Justification:** Proposed new policy. The Fire Department indicates that over the past few years, the elevated risk of and damages caused by wildfires and other natural and man-made disasters, along with prolonged drought conditions, have increased the need for local fire prevention and safety services. This policy would allow the County to support proposals for additional fire services funding. **(Requested by the Chief Executive Office, concurred by the Fire Department)**

13. Support proposals that would establish statewide standards for the use of reclaimed water systems for hydrant and fire protection systems.

**Justification:** The Fire Department reports that given the water shortages throughout the State, there has been an increased interest to use reclaimed water for hydrant and fire protection systems. However, unregulated reclaimed water systems for building projects could pose health issues to fire service personnel who would utilize these systems, or inadvertently hinder the effectiveness of the water source to sufficiently extinguish fires. This policy would allow the County to support proposals to establish statewide design and quality standards for the use of reclaimed water in fire protection systems. **(Requested by the Fire Department)**

14. Support legislation that would require and/or would incentivize the installation of adequate water supply and fire protection systems in the construction of new mobile home and/or special occupancy parks.

**Justification:** The Fire Department indicates that current water supply systems in some mobile home and/or special occupancy parks do not provide adequate and reliable water flows needed to extinguish a fire involving several units especially under windy conditions. A recent example of this problem occurred in the Oakridge Mobile Home Park in Los Angeles City, where several hundred mobile homes were destroyed during the Sayre Fire due to inadequate water and fire protection systems. This policy would allow the County to support legislation to amend State Health and Safety Codes to require that the construction of new mobile home parks includes reliable water supply and fire protection systems. **(Requested by the Fire Department)**

15. Support legislation to enhance hazardous materials management enforcement and penalties for safety violations at high risk hazardous materials facilities.

**Justification:** The Fire Department reports that high risk hazardous materials facilities, such as refineries and chemical blenders, handle the most dangerous hazardous materials in our communities. When there is a safety violation, current law allows penalties of up to only \$2,000. This policy would allow the County to support legislation that would enhance enforcement, including increasing penalties for safety violations that put facility employees, the community, and the environment at risk. **(Requested by the Fire Department, concurred by the Department of Public Health)**

16. Support proposals to create a single statewide registry for hazardous materials specialists.

**Justification:** The Fire Department reports that current and upcoming State requirements are placing more educational, training, and certification requirements on hazardous materials specialists within varied and specific program elements such as underground storage tanks, aboveground storage tanks or inspectors performing work at high risk hazardous materials facilities. This policy would allow the County to support proposals to establish a centralized registry that would consolidate these requirements into a single statewide process that will help State and local agencies better manage staff requirements. **(Requested by the Fire Department, concurred by the Department of Public Health)**

## 8. MENTAL HEALTH

- ~~3. Support proposals to develop and implement State technical assistance and training programs to maximize the reduction in the use of seclusion and behavioral restraints in mental health facilities. (Requested by the Department of Mental Health)~~

**Justification:** The Department of Mental Health indicates that this policy is no longer needed. The State has not provided technical assistance and training programs since the State Department of Mental Health was disbanded in 2012.

8. Support proposals to increase funding for specialized mental health and substance use disorder training to first responders, including law enforcement, fire personnel, probation officers, emergency medical personnel, and health care practitioners.

**Justification:** Change to existing policy. The above change would allow the County to support proposals to increase funding to provide mental health and substance use disorder training to all first responders who might be called to assist with individuals who are mentally ill or under the influence of substances, and to allow County public safety and health personnel to refer those with behavioral health issues to treatment and, when appropriate, divert them from the criminal justice system. (Requested by the Sheriff's Department, concurred by the Departments of Health Services, Public Health, Mental Health, District Attorney, and Fire)

## 10. SOCIAL SERVICES

### 10.2 CalWORKs

24. Support proposals that provide financial incentives to youth aided under the CalWORKs Program to achieve self-sufficiency upon the successful completion of a high school diploma.

**Justification:** The Department of Public Social Services (DPSS) indicates that youth receiving assistance under the CalWORKs Program and who are living in poverty have less of an opportunity to complete their high school education. According to DPSS, providing a financial incentive to CalWORKs youth would help to increase the number of youth graduating from high school; thus leading to self-sufficiency. Currently, CalWORKs youth who are not pregnant or parenting are not eligible to be referred to the Cal-Learn Program. However, the success of the Cal-Learn Program can be used as a model of how financial incentives promote and encourage youth to stay in school and pursue a higher education. Under the program, youth who are pregnant or parenting and obtain a high school diploma or its equivalent receive a \$500 one-time bonus payment, and those enrolled or accepted in public post-secondary, college, or vocational training receive a \$250 one-time bonus payment, among other incentives. The proposed policy would allow the County to support proposals that provide financial incentives to CalWORKs youth to complete their education and achieve self-sufficiency. (Requested by the Department of Public Social Services)

**PROPOSAL FOR COUNTY-SPONSORED LEGISLATION**

Board approval is requested to pursue County-sponsored legislation for which there is no existing policy.

**Proposition 47 Resentencing Petitions.** This office will pursue County-sponsored legislation to eliminate or extend the time period for individuals to petition for resentencing of specified felonies to misdemeanors pursuant to Proposition 47 of 2014.

Proposition 47, the Safe Neighborhoods and Schools Act, approved by voters in November 2014, reduced certain non-serious and non-violent drug and property offenses from felonies to misdemeanors. The measure allows resentencing to misdemeanors for persons previously convicted of felony sentences for these offenses, unless the court finds there is an unreasonable public safety risk. Petitions for resentencing must be filed within three years after the effective date of the Act, or by November 2017.

The Public Defender and the Alternate Public Defender note that individuals who were serving time for these crimes at the time Proposition 47 was enacted have already been resentenced. However, there are thousands of persons who have already served sentences for these convictions that may be eligible for resentencing. This requires an extensive review of their records which may extend back indefinitely. A search of available electronic records of approximately the past 25 years identified almost 700,000 potentially qualifying cases of Public Defender clients, and the Alternate Public Defender reports another 100,000 potentially eligible cases. Considering the diminishing time frame and the extensive resentencing workload Proposition 47 created without allocating additional resources, repealing or extending the timeline for petitioning would allow county public defenders across the State the necessary time to assist more potential petitioners. Further, an extended petition time frame would allow those persons with older records sufficient opportunity to reclassify their convictions, providing them better access to jobs, housing, and other support services that promote more successful re-integration into their communities.