

COUNTY OF SANTA CLARA
2009 LEGISLATIVE POLICIES

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LEGISLATIVE POLICIES

FINANCE AND GOVERNMENT OPERATIONS

FINANCE

The County of Santa Clara's legislative policies include:

- 1) Opposition to extending the life of existing **redevelopment** areas and any expansion of the definition of "blight."
- 2) The County must be **reimbursed for all mandates** imposed by the Federal and State governments. Additionally, the process for determining mandate repayment at the state level should be streamlined to ensure timely payments.
- 3) With regard to **eminent domain**, the County supports maintaining flexibility in its use for important public purposes.
- 4) Support for the **preservation of existing revenues**, including those protected by Proposition 1A, **and revenue authority** and expanded opportunities to generate local revenues.
- 5) Support for **equitable funding structures and formulas** that reflect county responsibilities, demographics, cost of living, and caseloads including:
 - a) Careful review of restructuring efforts to ensure that adequate revenues flow to counties with any new responsibilities. Revenue should include growth projected to match anticipated caseload growth; and
 - b) Development of formulas to redistribute local sales tax that better reflect the population and service demands of counties.
- 6) Support for implementation of the Federal **Streamlined Sales Tax Agreement** to allow for equitable e-commerce taxation including the fair and equitable collection of the sales and use tax whether through remote or "bricks and mortar" sales.
- 7) To protect local funding flexibility while ensuring the continued provision of services statewide, the County of Santa Clara opposes the imposition of **maintenance of effort (MOE) requirements** when new revenue sources are provided to counties. The County also opposes efforts to expand MOE requirements on existing funding sources.
- 8) Increased State and Federal funding towards counties' **infrastructure needs**, and a timely and equitable allocation of infrastructure funding approved by the California voters in 2006.

- 9) Increased administrative flexibility to **allow counties to develop more cost-effective ways to operate programs**. This would include increased coordination with other branches of government in order to share resources and eliminate duplication of work including expanded authority for counties to contract-out services when the contract provides a more efficient or economical way of producing the service.
- 10) **Exemption** of purchases by local government agencies **from sales tax**.
- 11) Efforts to create a **more timely reimbursement process from the State and Federal government**. Currently, the County may experience cash flow problems due to late reimbursements from the Federal government to the State, or from the State Departments of Health Services, Mental Health, and Corrections to the County. Whenever possible, the County supports the use of electronic payments.
- 12) **Continued State funding for the administration of the property tax system** that recognizes the fiscal authority of the Board of Supervisors.
- 13) Sustained ability to impose a **special fee for credit card or debit card payment**.
- 14) Modification of the outdated allocation formula for the **Victim Witness Assistance Center** to take into account the number of victims served.
- 15) Support for efforts to **increase financial privacy through adoption of opt-in standards**, which require customer consent before financial institutions can share information with others. The County endorses this ability at both the State and Federal levels.
- 16) Creation of a **State Earned Income Tax Credit (EITC)** that would provide tax reductions and wage supplements for low- and moderate-income working families.

EMPLOYEE SERVICES AGENCY

- 1) With regard to **public employee pensions**, the County strongly opposes efforts to eliminate defined benefit pensions, and, instead, supports these guiding principles:
 - a) Protection of local control and flexibility;
 - b) Reduction and containment of costs;
 - c) Increased predictability of costs and benefits for employee and employer; and
 - d) Strengthened local ability to develop plans with equitable sharing of costs and risks between employee and employer.
- 2) The County supports Federal efforts to **end discrimination** of lesbian, gay, bisexual, or transgender individuals in civilian and military employment.

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- 3) The County supports efforts to **prevent unreasonable increases in Workers' Compensation costs** and changes that will mitigate increasing medical costs and provide fair and reasonable indemnity benefits including:
 - a) The prudent use of health care;
 - b) Improved accountability and administration;
 - c) Alignment of the public and private sectors;
 - d) Efforts to expand medical information that may be disclosed to employers by third-party administrators, insurers, and employees and agents specified by a self-insured employer to administer the employer's workers' compensation claims. Access to this information is necessary to effectively administer and operate a workers' compensation program; and
 - e) Maintenance of the current **maximum time limit** of two years for payment of temporary disability benefits to employees for workers' compensation injuries.
- 4) The County supports increased **reimbursement for incorporated burn diagnosis related groups (DRGs) 504 through 509** (a category of California Workers' Compensation Program), which currently provide inadequate compensation to hospitals.
- 5) The County supports efforts to **prevent unreasonable increases in unemployment insurance** benefit levels.
- 6) The County supports establishing a **maximum rate of temporary disability (TD) benefits** to which inmates would be entitled if injured during the course of work duties while incarcerated.
- 7) The County supports allowing county **hospital liens to be asserted against settlements and compromises**, in addition to judgments, which would put county hospitals on equal footing with other lien holders when a personal injury case is resolved prior to judgment.
- 8) The County supports retention of **local control over collective bargaining**. The County opposes continued efforts to erode the State's Meyers-Milias-Brown collective bargaining act.
- 9) The County supports creation and implementation of **education, training, internship, recruitment, and retention programs for public sector workers**. Such efforts could include school loan assistance, housing assistance, and various types of tax forgiveness.
- 10) The County supports **visas and regulatory changes to allow properly trained immigrants to work in the health field** including extension of the H1-C visa category, which allows individuals with a registered nursing degree from another country to work in the United States for three years; and modification of the H1-B visa requirement that individuals hold a bachelor's degree if they will be employed as a Diagnostic Imaging Technician, a profession which does not require a B.A. in the United States.

- 11) The County supports licensure of clinical lab scientists based on **national standards**.
- 12) The County supports **reciprocity** with other states for lab technicians.
- 13) The County supports additional grant opportunities to **fund human resources training and technology projects**.
- 14) The County **opposes federal modification of FEMA insurance requirements** that would mandate excessive and unattainable levels of earthquake insurance.

ASSESSOR

- 1) The County opposes **Trial de Novo**, which would promote unfair property values and cause assessments to be determined through compromise and settlement, which is inconsistent with fair property equalization. Trial de Novo undermines the constitutionally-established local assessment appeals boards, significantly increases fiscal uncertainty to schools and local governments, and lengthens the time necessary to resolve local property assessment appeals.
- 2) The County supports **increased records retention requirements for private corporations**. These records provide critical information during property tax audits.
- 3) The County opposes **limiting the Possessory Interest (PI) property tax** when public land is used by the private sector for profit.
- 4) The County supports **elimination of the requirement** that an employee or agent of a corporation who is authorized to sign property statements have written authorization from the owner, and that the assessor receive a copy of the authorization.
- 5) The County supports an **increase of the mandatory audit threshold** amount.
- 6) The County supports **statewide standardization of business category codes** used by property owners when filing business personal property statements with the Assessor.
- 7) The County supports the **continued assessment of computer programs** where such programs are integral to taxable business property and are necessary for the proper functioning of that property for the purpose for which it was designed.

REGISTRAR OF VOTERS

- 1) The County supports **full and timely reimbursement** for State and Federal mandates, including Help America Vote Act (HAVA) requirements, SB 90 mandates, Secretary of State directives, and unscheduled elections called by the State.
- 2) The County supports the ability to conduct **all-mail ballot elections**.
- 3) The County supports the ability to **subtract permanent vote-by-mail voters** from the total number of voters in a precinct for the purpose of consolidations.

COUNTY LIBRARY

- 1) The County supports protection of Californians' access to all public libraries by supporting **Transaction-Based Reimbursement (TBR)**. The TBR is the net lending reimbursement that the State Library provides to public libraries for allowing any resident of California who lives outside of their jurisdiction to borrow books. The County library system received over \$1 million in TBRs in FY 2006. The current reimbursement rate is 65-cents per net transaction.
- 2) The County supports full state funding of the **Public Library Foundation Program**. This program enables the State to allocate a maximum match of 10% for library services.
- 3) The County supports **restoration of local property tax dollars to "orphan" libraries** that lost their funding in the property tax shift known as the Educational Revenue Augmentation Fund (ERAF).
- 4) The County supports continuation of **State matching funds for literacy programs** under the California Library Services Act.
- 5) The County supports **legislation to reduce the passage of public library operating measures to the 55% level**, as has been done with education operating and bond measures. Currently, a two-thirds vote is needed for passage.
- 6) The County supports reauthorization and **increased funding for the Federal Library Services and Technology Act**.

GENERAL GOVERNMENT

- 1) The County supports establishment of **fees for all Clerk-Recorder services** that promote full cost recovery and reflect the actual costs to the County.
- 2) The County supports efforts to **protect all vital and official records against fraud**, while ensuring their availability to authorized users.

- 3) The County supports **greater flexibility in the use of electronic recording** for real property records that include appropriate protections for consumers and homeowners against fraud.
- 4) The County supports **protecting access to real estate records**, which is currently provided under the Public Records Act.
- 5) The County supports efforts that **preserve the integrity of public records**.
- 6) The County opposes changes in the required **format of public records** that impose an unfunded mandate.
- 7) The County opposes decreasing the definition of **“reasonable response,”** currently defined as 10 days.
- 8) The County opposes a **State-mandated retention schedule** for general documents.
- 9) The County supports authorization for the County to obtain **full cost reimbursement for information**, which is developed at public expense and used for commercial purposes.
- 10) The County opposes **additional requirements for noticing and publication** that impose an unfunded mandate, as well as efforts to recast current mandates as non-reimbursable expenses.
- 11) The County supports efforts to obtain grant funding for the preservation and storage of **county archives**.
- 12) The County supports **changing Federal program reimbursements** that currently create disincentives for the County to own facilities.
- 13) The County supports **immunity from liability** for dispatchers who provide standard pre-arrival medical instructions to 911 callers.
- 14) With respect to **emergency preparedness**, the County supports increased Federal and State funding to plan, prepare, and respond to natural and man-made disasters to include temporary housing, consistency and coordination among the Federal, State, and local emergency preparedness plans, and a unified command structure when multiple jurisdictions are involved in emergency response.
- 15) The County supports **State and Federal funding for the arts and arts education** in order to contribute to the development of healthy individuals as well as to achieve a culturally and artistically vibrant community.

ENERGY

- 1) With regard to tax and revenue impacts:
 - a) Legislative, Public Utility Commission (PUC), and State Board of Equalization (BOE) decisions concerning energy issues should include provisions to **avoid negative impacts on local governments and schools**, such as, loss of property tax revenues or franchise fees;
 - b) The State should take necessary steps to **avoid utility bankruptcy** and, at the same time, minimize absorption of costs by ratepayers;
 - c) The financial consequences to local governments of a **potential utility bankruptcy must be minimized**;
 - d) The PUC should include incentive provisions, such as, discounted rate structures for public entities, commercial and residential accounts where significant investments have been made in sustainable energy conservation and alternative energy generation; and
 - e) The County supports legislation that allow local governments the opportunity to retain and generate revenues from trading emission reduction credits resulting from local investments in green energy and clean vehicle programs.

- 2) With regard to generation:
 - a) The State should establish **incentives** that will encourage the development and use of all **alternative energy** sources;
 - b) The State should renew and extend the **Self Generation Incentive and Emerging Renewable Incentive** programs;
 - c) The State should allow local agencies to retain **regulatory oversight** over generators by statutorily changing the threshold from 50 megawatts to 100 megawatts;
 - d) The County supports additional State grant funding for **clean back-up power generation** for essential facilities;
 - e) The County supports additional State grant funding for **air quality compliance for emergency generation facilities**;
 - f) The State should provide **incentives** to local agencies to **site energy facilities**, while, at the same time, taking into account **environmental justice** issues and sensitivity to existing standards;
 - g) The State should balance expedited energy production with consideration of the **environmental impacts** of such actions; and

- h) The County supports incentives and expedited permit processes that encourage the rapid adoption and diffusion of photovoltaic systems and technologies consistent with appropriate safety standards.
- 3) With regard to public power:
- a) The County supports legislation to **enhance public power options** available to local governments; and
 - b) The County supports legislation to enhance local government's ability to become **community aggregators of electricity**.
- 4) With regard to conservation:
- a) The County supports development of a statewide grant program to **fund energy conservation and energy management equipment** in local government facilities;
 - b) Support **rebates** and other benefits for conversion and purchase of vehicle emission reduction technologies, hybrid, fuel cell, electric, and natural gas vehicles.
 - c) Support **additional funding for stationary hydrogen fuel sites** to provide heat and electricity for buildings and incentives for purchase of fuel cell vehicles;
 - d) The County supports a **rate structure that recognizes conservation efforts** including incentives for reducing air conditioning and heating use; and
 - e) The County supports **grants and loans for energy efficiency** for businesses and homeowners.
- 5) With regard to protection from and notification of power outages:
- a) **Counties**, as providers of essential services in the areas of public health and safety, should **be exempt whenever possible from rotating block outages**; and
 - b) The County must be provided **adequate notice** regarding any planned **rotating block outages**.

CLIMATE CHANGE

The County supports:

- 1) Legislation and regulations to **reduce greenhouse gas emissions** and efforts to implement the requirements of AB 32;

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- 2) The State's request to the U.S. Environmental Protection Agency for a **waiver under the Clean Air Act** to impose tougher greenhouse gas emissions standards for passenger vehicles;
- 3) The provision of funds, incentives, and/or revenue-raising authority to **assist local governments** for the costs of climate change actions;
- 4) A **simplified approach** to greenhouse gas emission **inventory reporting**;
- 5) Legislation that supports **water audits and conservation**;
- 6) Efforts that support and encourage **green job development**;
- 7) **Regional transportation and local planning efforts** that consider climate change and seek to reduce greenhouse gases;
- 8) Efforts that encourage regional planning and mitigation strategies that reduce the impacts to communities particularly impacted by climate change;
- 9) Incentive programs that **encourage investment in energy conservation** and the use of renewable energy solutions, particularly those offering high value greenhouse gas reductions; and
- 10) Local governments **retaining marketable credits** for investments made in energy conservation, and reduced emissions from solid waste and vehicle fleet activities. The County recognizes the benefits to both economic competitiveness and environmental protection through investments in a clean, low carbon, energy economy.

HEALTH AND HOSPITAL

HEALTH CARE COVERAGE AND BENEFITS

The County supports:

- 1) **Preservation of the safety net** including funding levels and governmental obligations for Medi-Cal and indigent health services.
- 2) Universal access to health insurance:
 - a) The development, administration, and funding of a health care system that will provide access to **health insurance to all individuals**, regardless of their ability to pay, including efforts to eliminate or reduce insurance premiums and co-payments that serve as a barrier to care;
 - b) Medicaid coverage should be expanded beyond current levels. The Federal government should also **encourage states to retain optional benefits**, which are gradually being reduced due to state budget cuts;
 - c) **Access to health care for residents who are not eligible for Medi-Cal or Medicare** and other health programs, including access to prevention services for patients no longer eligible for Medi-Cal managed care.
 - d) Expanded **eligibility in State programs to cover uninsured children** in families at or below 300% of the poverty level;
 - e) Efforts to **increase Medi-Cal enrollment** including the ability to allow presumptive eligibility and allow a one-year “lock-in” into the plan, whereby services can begin before paperwork is completely processed;
 - f) The County supports **programmatic flexibility** from the State and Federal government to protect Medi-Cal enrollment in Valley Health Plan and Valley Medical Center; and
 - g) **Expanded Medi-Cal eligibility** to cover incarcerated individuals.
- 3) Access to **health care for pregnant women** who are not covered by other insurance.
- 4) The County opposes the development of managed care systems for any health care program (including mental health and substance abuse) that allow providers to choose only the healthiest, lowest cost patients (“**cherry picking**”) or restrict benefits to low-cost or extremely limited services.

HEALTH CARE FINANCING

- 1) With regard to **Health Care reform** efforts, the County supports:
 - a) **Medi-Cal rates** that reflect the full cost of providing care;
 - b) Reasonably constructed **County Share of Cost**;
 - c) Workable Provider Fee;
 - d) Establishment of **adequate reimbursements** for providers that do not damage the health care safety net by creating a negative fiscal impact for public hospitals and health care providers;
 - e) Creation of **new sources of funding** for safety net hospitals; and
 - f) The County opposes moving seniors and persons with disabilities (SPD) populations into Medi-Cal Managed Care without consideration of implications to the State's health care safety net.

- 2) With regard to the Federal **Medicaid** program:
 - a) The County opposes rules issued by the Centers for Medicare and Medicaid Services (CMS) that do not go through the legislative process and yet negatively impact Medicaid financing;
 - b) Sufficient funding should be provided in order for recipients to receive adequate health care, and providers to receive **sufficient reimbursement** for said services;
 - c) The County supports efforts to **ensure that program changes are well considered** and done through the appropriate process such as the regulatory process instead of administrative directives; and
 - d) Medicaid funding to the State should be based on need, not an arbitrary base year. Additionally, the **Federal Medical Assistance Percentage (FMAP)** should be increased and/or the Federal Poverty Level indexed, which would raise Federal Medicaid reimbursements to California.

- 3) With regard to the State **Medi-Cal** program, the County supports:
 - a) Securing an **increase in Medi-Cal provider rates** to adequately reimburse providers of medical, mental health, and drug and alcohol services and to preserve and augment the number of Medi-Cal providers;

- b) Securing an adjustment in the Medi-Cal “share of cost.” Because the share of cost has not been adjusted in quite some time and has become very high, health care services remain out of reach for many individuals;
 - c) Securing **sufficient funding levels for Medi-Cal field offices** to improve the timeliness and adequacy of Medi-Cal payments, and the enactment of administrative simplifications to Medi-Cal operations and requirements;
 - d) **Consolidated enrollment** for public Medi-Cal providers;
 - e) Providing the County with the ability to **self-certify Medi-Cal** inpatient billings in order to improve VMC’s cash flow; and
 - f) Elimination of the recently instituted **Semi-Annual Status report for children**.
- 4) The County supports efforts to broaden and codify **Federally Qualified Health Care (FQHC)** scope of benefits.
 - 5) The County supports efforts to reinstate State funding for **county outreach and enrollment** activities to enroll and retain eligible children in the Medi-Cal and Healthy Families programs (the OERU program).

GENERAL HEALTH CONCERNS

The County supports:

- 1) **Reproductive choice for all women**, regardless of ability to pay.
- 2) Efforts to give counties more flexibility to redirect current funding to develop coordinated “**wrap around**” and case management care. For example, allow counties to use funds for public health and alcohol and drug services to develop comprehensive services for substance abusing pregnant women and their families.
- 3) Funding for **child advocacy centers** that offer medical, mental health, and prosecutorial services in one setting for children who have been neglected, abused, or assaulted.
- 4) A **change in the current Federal Drug Administration’s policy** of not accepting blood donations from men who have had sex with other men anytime since 1977.
- 5) With regard to the **Medicare** program:
 - a) Ensuring awards of Special Needs Programs; and
 - b) Updated provider number application and management requirements to reflect the needs of government providers and current issues with identity theft.

SCHIP/HEALTHY FAMILIES

The County supports:

- 1) Reauthorization of the **State Children's Health Insurance Plan (SCHIP)**, known as Healthy Families in California, with expanded eligibility to cover uninsured children in families at or below 300% of the poverty level.
- 2) Efforts to increase **enrollment**;
- 3) **Reimbursement** to providers through the Healthy Families program for prenatal care provided for children born in California who become eligible for Medi-Cal or Healthy Families upon birth;
- 4) Preservation of existing SCHIP **eligibility**, enrollment and funding; and,
- 5) Removing the **cap on dental benefits** recently established by the State.

HEALTHCARE WORKFORCE ISSUES

The County supports:

- 1) **Retaining and recruiting high quality staff** at all levels in the face of scarce talent, pending retirements, internal and external salary equity issues, and increasing demand for services.
- 2) Continuing to **safeguard healthcare providers' authority to determine health care staffing** and appropriate use of unlicensed personnel including a reasonable and responsible interpretation of nurse and other staffing ratios and policies.
- 3) Funding for academic institutions to **expand or maintain capacity in health fields** such as San Jose State University's nursing program.
- 4) Funding for the **State Loan Payment Program** to expand the program to provide more assistance to primary care professionals and expand the program to include specialists such as mental health and substance abuse professionals. Obtain funding for public hospitals/health facilities to increase training opportunities.
- 5) Scholarships and **loan forgiveness** in order to increase enrollment in the health fields of study.
- 6) **Visas and regulatory changes** to allow properly trained immigrants to work in the health field.
- 7) Licensure of clinical lab scientists based on **national standards and reciprocity** with other states for lab technicians.

VALLEY MEDICAL CENTER

The County supports:

- 1) **Protection of Medicare, Medicaid**, and other Federal health programs including efforts to maintain sufficient funding levels to serve eligible populations. For example, the County opposes any further reduction in Medicare payments to providers or further cuts to Medicaid.
- 2) **Funding and flexibility to meet the State's increasing seismic safety requirements** for hospitals, bond funding for other capital needs, and rebates for green building and energy plans.
 - a) Allowing the State Office of Statewide Health Planning and Development (OSHPD) to receive a **hiring freeze exemption for certain staff positions critical to hospital seismic safety projects**; and
 - b) Establishment of programs similar to SB 1732 to assist in funding current seismic requirements.
- 3) Increased support for the State's system of **trauma care**.
- 4) Continued efforts to ensure insurance companies **make payments in a timely manner**.
 - a) Ensure that the Balanced Billing initiatives do not harm public health care.
- 5) Explore an alternative method to streamline **construction projects related to County hospital projects** to reduce costs.
- 6) Prescription **drug "re-importation"** or direct purchase from Canadian pharmacies.
- 7) Expand pharmaceutical discounting (the Federal "**340B**" program) to inpatient use.
- 8) The County supports expanding **local governments' role in the transfer or sale** of non-profit or for-profit health facilities (regardless of the entities' out-of-state or tax exempt status) as well as attempts to close emergency rooms or reduce a hospital's capacity including adequate public notice of the closure.

MENTAL HEALTH

The County supports:

- 1) Maintained Medi-Cal benefits, especially Targeted Case Management and the Rehabilitation Option.

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- 2) Ensuring that **Mental Health Services Act** (MHSA) funding remains in local systems of care.
- 3) Full funding for counties' costs associated with the **AB 3632 program**, which provides mental health treatment services to Special Education pupils. The reimbursement process is proving to be difficult for contractors.
- 4) Fiscal and operational support to address **chronic under-funding** and inability to provide needed services to mental health consumers.
- 5) Medicaid expansion to reimburse services for the mentally ill who are provided treatment in **Institutes of Mental Disease** (IMD), and freestanding psychiatric hospitals. The County also supports State control over rate setting for these providers.
- 6) Funding to cover costs of medication and treatment programs targeted to uninsured, **incarcerated individuals with mental illness** or substance abuse problems.
- 7) Medicaid reimbursement for mental health services to juveniles in Juvenile Hall or the Ranches, regardless of adjudication status.
- 8) State funding assistance for mental health clients who have been found to be incompetent to stand trial (**Murphy Conservatorships**).
- 9) Initiatives to provide increased **mental health services to adoptive and foster care youth**, and funding to serve seriously emotionally disturbed youth who are not eligible for services under other public programs or private insurance.
- 10) New initiatives to provide **intensive and comprehensive services to the mentally ill at risk of homelessness, incarceration, and involuntary hospitalization** including efforts to restore funding for Mentally Ill Offender Crime Reduction (MIOCR) grants for both adults and juveniles.
- 11) The expansion of health care insurance coverage to provide the **same rates, terms, and conditions for mental illness as applied to their medical conditions**.
- 12) Increased Federal funding for mental health services, particularly programs administered by the Substance Abuse and Mental Health Services Administration (SAMHSA).
- 13) Support of **integrated service models** to meet the needs of individuals with dual diagnosis of mental illness and substance abuse.
- 14) Support of programs serving individuals with **severe psychiatric disorders** and complicating medical conditions including brain injury, dementia, and other chronic medical problems.

ALCOHOL AND DRUG SERVICES

The County supports:

- 1) With regard to adolescent substance abuse services:
 - a) Increased funding to allow the creation of an adolescent system of care; and
 - b) Expanded Medi-Cal benefits to **fully cover adolescent substance abuse treatment services**.
- 2) With regard to adult substance abuse services:
 - a) Efforts to restore, retain, and secure **new funding for comprehensive alcohol and drug abuse treatment services** to reflect actual local cost; and
 - b) Restructuring the **drug Medi-Cal system** to include rate increases, benefit increases, and utilization of the rehabilitation option developed in the mental health field.
- 3) The County supports the **expansion of alcohol and drug services** in the criminal justice and juvenile justice systems, including:
 - a) Efforts to **expand treatment services** included in adult and juvenile drug court;
 - b) Full funding for **Proposition 36 services**;
 - c) **Revision of the allocation formula** for the **Substance Abuse and Crime Prevention Act (SACPA)** funding that reflects this county's high caseload and completion rates as well as full funding for the Act to include any change in allocation formula and expansion of funding;
 - d) Access to **funding from the Federal Crime Bill** to serve the criminal justice system;
 - e) Additional resources to provide **more transitional housing**; and
 - f) **Substance abuse treatment** for families in the child welfare system.
- 4) Efforts to access existing **housing assistance funds to provide housing to substance abusers in recovery**.
- 5) **Enabling the success of group homes** that provide quality services by ensuring that these facilities are not subject to arbitrary and unreasonable zoning restrictions.
- 6) Expanding health insurance coverage to include substance abuse treatment in public and private plans to **achieve parity** with physical illnesses, with an expanded scope of benefits and increased rates.

- 7) **Increased local control over expenditures** of Federal alcohol and drug services grants. In particular, many Federal grants have strict and detailed categorical requirements, which prevent local agencies from allocating funds to alcohol and drug programs according to greatest need.
- 8) Measures to **limit or counter the advertising of alcohol** and drug-related products to minors.

PUBLIC HEALTH

The County supports:

- 1) An appropriate share, **streamlined processes and greater flexibility** of funding for **Public Health Emergency Preparedness initiatives** including **Pandemic Influenza**;
- 2) Increased **funding for Tuberculosis (TB) prevention and treatment**, to reflect the growing number of cases being treated in Santa Clara County; Santa Clara County has more TB cases than 35 States;
- 3) **Reauthorization of the Ryan White Treatment Modernization Act of 2006**, which funds HIV/AIDS treatment for low-income, uninsured, underinsured people such as core medical services and support services; and
- 4) Retaining and increasing funding for AIDS/HIV including the AIDS Drug Assistance Program (ADAP), which provides access to **treatment for low-income people living with HIV**.
- 5) Increased support for the **public health infrastructure**.
- 6) Funding for public health programs, such as:
 - a) Prevention programs in the areas of **oral health and obesity**, and promotion programs, such as, nutrition and activity education;
 - b) Increased resources dedicated to surveillance and prevention programs targeting **chronic diseases** such as cardiovascular, stroke, cancer, diabetes, and asthma; and
 - c) Combating **infectious diseases**, such as, Hepatitis C and Chlamydia, and providing screening, diagnosis, and treatment.
 - d) Adequate funding for children's programs, including expanded coverage in the **California Children's Services (CCS)** program for clients who are not Medi-Cal eligible; and addressing the recent State budget reductions to the CCS program.
- 7) With regard to **clean-needle exchange** programs, the County supports:

- a) Efforts to strengthen needle exchange programs as part of an overall program to **combat the spread of HIV** and other diseases; and
 - b) Allowing items associated with needle exchange programs, such as, **cookers, sterile water, and cotton** to be distributed along with clean needles.
- 8) Ability to **streamline and simplify contracts** with the Department of Health Services (DHS).
 - 9) Efforts to maximize the responsible, accountable and safe manufacture, sale, and use of firearms.
 - 10) Legislative efforts to **reduce or eliminate lead and toxic substances in consumer products**, particularly those used by infants and children.

BIOTERRORISM/PANDEMIC FLU PLANNING

The County supports:

- 1) **Mass casualty funding**, in addition to that provided by the Federal Emergency Management Agency (FEMA).
- 2) Greater **flexibility** for Federal funds to accommodate training and personnel costs, as well as multi-use programs that meet a variety of public health needs.
- 3) Adequate funding for **bioterrorism preparedness and response**, including:
 - a) Development of hospitals' infrastructure against bioterrorism;
 - b) Increased support for the public health infrastructure; and
 - c) Allowing for multi-year contracting for ongoing programs.
- 4) With regard to the **Federal Metropolitan Medical Response (MMR)** program, require that counties serve as lead agency.

EMERGENCY MEDICAL SERVICES (EMS) AND TRAUMA

The County supports:

- 1) Measures to secure sufficient and **stable funding for emergency medical services** including trauma centers and trauma systems; emergency medical care (physician, hospital, and ambulance provider reimbursement); and local EMS Agencies (LEMSAs).
- 2) **Regional trauma system planning** that promotes the use of certain specialty care services, such as, burn care, pediatric trauma care, and spinal cord trauma care.
- 3) **Regional specialty health care system planning** that promotes the identification and use of specialty care facilities, designated by the LEMSA, to include stroke care, cardiac care, and other identified specialty health care needs within the region.
- 4) Standardized regional **medical disaster planning** and response.
- 5) Measures that will result in cellular calls to 9-1-1 being routed to the closest appropriate level local dispatch center.
- 6) Efforts that continue to preserve the ability of the County to provide quality cost-effective emergency medical services through Exclusive Operating Areas.
- 7) The County opposes measures that will **fragment the delivery of EMS**.
- 8) The County **opposes attempts to reduce the LEMSA's medical control** over local EMS system providers.
- 9) The County **opposes attempts to transfer the Trauma Center regulatory oversight** responsibilities of the LEMSA to a third party or to the State.
- 10) The County **opposes attempts to circumvent the established regulatory processes** in order to change EMS medical standards and protocols.

INFORMATION TECHNOLOGY

The County supports:

- 1) Financial and operational support of public healthcare providers' development of information technology, including an **electronic health record**.
- 2) Public sector participation in the **Regional Health Information Organization (RHIO)** by insuring that the sharing of health information occurs in a secure and confidential manner.

- 3) Improved data sharing statewide in the context of **Pandemic Influenza Planning efforts** and **Disaster Planning** (earthquake) and **Bio-terrorism** (BT) efforts.

CHILDREN, SENIORS, AND FAMILIES

CALWORKS AND OTHER BENEFITS

The County supports:

- 1) Efforts to require the State to recognize its responsibility to pay the increasing costs that counties incur in operating **several state-mandated human service programs**.
- 2) Reauthorization and expansion of the **Food Stamp Program** to improve access to the program and increase the adequacy of food stamp benefits.
- 3) **Continued efforts to grant flexibility** in addressing state and local needs such as housing assistance, transportation, and subsidized child care, particularly in high cost regions.
- 4) With regard to the Federal TANF program, the County supports:
 - a) Allowing needy families to receive vital support services without impacting their five-year **lifetime limit on cash assistance**;
 - b) **Suspending the five-year clock** when a family is making efforts to work, yet is unable to earn enough to become independent of CalWORKs cash assistance; and
 - c) Extending the **one-year limit on education and employment training** to five years.
- 5) With regard to California's CalWORKs program, the County supports:
 - a) Additional services for CalWORKs clients including increased **access to supportive housing**, transportation, and ancillary services to increase self-sufficiency for CalWORKs clients and at-risk families;
 - b) The **reduction of eligibility and enrollment barriers** to supportive services, such as, Medi-Cal, Healthy Families, and Food Stamps. The State should also acknowledge the link between these programs when performing outreach and enrollment;
 - c) **Easing restrictions on providing CalWORKs benefits** to individuals convicted of drug felonies for use or possession, provided that the individual meets criteria for being clean and sober, similar to the requirement in the food stamps program;
 - d) **Simplifying the determination of eligibility** and income reporting requirements for the CalWORKs program;
 - e) The **expansion of educational opportunities** and funding for CalWORKs clients through adult education and regional occupational programs; and

- f) Creation of a State **child care credit for CalWORKs** and working poor families.
- 6) Efforts to create a **cost-effective alternative to the Statewide Fingerprint Imaging System**, particularly if it is demonstrated that this method of fraud prevention is a barrier to application for benefits.
- 7) Ongoing funding for the maintenance, operations, and needed system changes to the County's **CalWORKs Informational Network (CalWIN)** Computer System Project.
- 8) Reinstatement of the **HUD Welfare-to-Work Housing Program**.
- 9) Increased funding for the **Workforce Investment Act** youth employment and adult training programs.
- 10) Increased funding for year-round **youth employment** programs.
- 11) Investigate and pursue efforts to **reduce poverty**, such as, through enhanced education opportunities and employment training for current and former welfare clients.
- 12) Adoption of a statewide screening tool for use in evaluating CalWORKs and General Assistance applicants for potential physical or mental disability to determine appropriateness of a SSI referral.
- 13) **The repeal of the requirement that welfare departments report** to the Bureau of Citizenship and Immigration Services (BCIS) any "known" **undocumented clients**.

CHILD CARE

The County supports:

- 1) **Full funding of all three stages of CalWORKs childcare**. The County strongly supports protecting CalWORKs Stage 3 funding so that recipients may complete their transition from welfare to employment.
- 2) Establishing eligibility and allocate funding for **subsidized childcare** taking into account regional differences in family income, regional childcare costs as compared to regional income, and population of welfare caseload that is engaged in part-time and full-time employment.
- 3) **Counties' oversight over Stage 1 childcare** to ensure that parents are directly linked to this vital support service as they transition from welfare.

FAMILY AND CHILDREN'S SERVICES

The County supports:

- 1) Efforts to provide **same-gender couples the legal rights and privileges equal** to those of married couples.
- 2) Efforts to increase State and Federal funding for county and community based services, including in-home supervision services, to preserve and support children and families who have experienced abuse/neglect, or are at risk of entering the Juvenile Dependency Court system. Additional funding is needed to provide **preventive and family preservation-type services** for families of **children at risk of abuse or neglect** to avoid the need to remove children from their homes to ensure safety.
- 3) Modifications to funding and regulations to encourage service integration with mental health, alcohol, and drug programs, and other services to meet the needs of the child and his or her family. Additionally, the County supports sufficient health care **resources for children in the foster care system**; in particular, children in out-of-county placement who require mental health services.
- 4) With regard to out-of-home placements, the County supports:
 - a) Additional resources for foster parents and group home providers to **sufficiently cover the costs of caring for foster children**. Additionally, the County advocates for other support and services including paid childcare for all caregivers and non-citizen legal immigrants including those who are not federally eligible;
 - b) Additional tools and financing to **improve recruitment and retention of foster and adoptive homes**. The County also supports efforts to address equity issues in the financing of foster care initiatives;
 - c) **Expanding adoption rights** for lesbian, gay, bisexual, or transgender couples or individuals.
 - d) Modification of financing and regulations for **foster family homes**, particularly licensing barriers, which deter potential caregivers and discourage joint placement of siblings;
 - e) Reimbursement of costs incurred from implementing any **new Federal licensing requirements**;
 - f) Streamlining the process of **relative approvals** and handling exemption requests for relative placements;
 - g) Exploring options to enhance **educational services for children in the juvenile and dependent care systems**, and improve collaboration between county placement agencies, the County Office of Education, and regional centers;

- h) Efforts to support foster youth in their **transition from foster care to independent living** through much-needed access to health care, education, employment opportunities, and housing, regardless of their participation in the Independent Living Program (ILP) program, along with funding for the County to plan and implement such supports;
 - i) Allowing **non-citizen legal immigrants to receive foster care and adoptive parent benefits** during their first five years in the country; and
 - j) **Establishing additional incentives** for guardianship, adoption, and kinship care.
- 5) Efforts to address issues related to the **Child Welfare Services/Case Management System (CWS/CMS)** including the funding for maintenance and the updating of the Child Welfare Services/Case Management System.
 - 6) In juvenile or dependency court, efforts to require that a **receiving court confirm in writing when it receives an order of transfer and court file**. This change would prevent dependent children from falling through the cracks when their cases are transferred from one county to another.
 - 7) Efforts to increase funding in order to meet the State's obligation to implement the **Child Welfare Services Workload Study**, mandated by SB 2030, which set forth target caseloads for child welfare workers.
 - 8) Efforts to increase funding for more **community-based aftercare services** for families that have exited the child welfare system to prevent recurrence of maltreatment and reentry into the child welfare system.
 - 9) The continuation of Federal programs that provide **funding for energy audits, investments in energy conservation, and discounted utility rates** for low income families and seniors.

AGING AND ADULT SERVICES

The County supports:

- 1) Adequate funding and flexibility to In-Home Supportive Services providers and recipients of services including **an additional state share-of-cost for Public Authority wage increases**.
- 2) Local authority to design **custom delivery modes** or systems for the In-Home Supportive Services Program (IHSS). The County opposes any efforts to remove or limit the County's authority over IHSS wages and benefits.
- 3) Additional Federal and State resources for **Financial Abuse Specialist Teams (FAST)** and Rapid Response Teams.
- 4) Improved support of the Aging and Adult Services programs, including:

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- a) Higher State reimbursement to meet the mandates of **SB 2199** (Statutes of 1998), which established comprehensive program standards in the Adult Protective Services Program (APS);
- b) A **statewide data system** in the APS program to enable counties and the State to share information and improve policy and budgeting decisions in the APS program;
- c) Budgetary funding flexibility by administering adult and aging programs through a **block grant** to counties;
- d) New requirements for the **statewide registration of durable powers of attorney** as a means of controlling abuse of vulnerable elders;
- e) Programs to **reduce the need for institutional care in a nursing home** and expanded Medi-Cal coverage for seniors and dependent adults who are currently ineligible for services;
- f) An increase in resources and services in proportion to the exponentially increasing aging population, especially in the area of **Adult Protective Services (APS)**;
- g) Ability to **block public access to driver's license information** for APS workers. There are certain public employees who have jobs that place them at risk of physical retaliation; therefore, the government provides them with this extra protection;
- h) Require mandated reporters of child abuse and domestic violence, including law enforcement personnel, to **report elder/adult abuse**, known as the "umbrella code;"
- i) Expand the list of **mandated reporters** to include financial planners, real estate professionals, notaries, and others who are in a position to observe circumstances indicating a senior may be the victim of financial abuse or fraud; and
- j) Programs directed towards assisting individuals who are **victims of elder abuse** and exploitation including physical, mental, and financial abuse.

IMMIGRANTS AND REFUGEES

The County supports:

- 1) **Immigration reform**, including the establishment of a guest worker program and a process for undocumented persons to become legal residents; and
- 2) Funding for **refugee services** that, in addition to caseload demands, reflect actual needs.
 - a) **Increase the ceiling on the number of refugees** allowed to enter the United States each year;

- b) Federal policy change to allow states to utilize their allocation of Federal refugee funds to **provide services to refugees** who are in the country after five years; and
- c) The County continues to **oppose efforts to circumvent State and local authority in allocating refugee funding**, and efforts to redirect funding for cash and medical assistance to private voluntary agencies.
- 3) **Revisions to the citizenship testing process** to better accommodate elderly, pre-literate, or monolingual immigrants.
- 4) Efforts to provide **avenues for immigrant professionals to practice the professions** of their birth countries.
- 5) Efforts to enact a program to **allow currently undocumented persons who have lived continuously in this country for a specified period of time to become legal residents** of the United States and eligible for naturalization.
- 6) Modifications to State law to allow individuals in the process of adjusting their immigration status to **apply for a temporary driver's license**.
- 7) Continued funding for the **Cash Assistance Program for Immigrants (CAPI)** and California Food Assistance Program (CFAP), which provide food assistance to low-income immigrant families.
- 8) The ability of **undocumented students** now eligible to pay in-state tuition to apply for and **be eligible for all student aid programs** to the full extent permitted by Federal law.
- 9) Preclusion of the **deputizing of local law enforcement** by the Federal government for immigration purposes.
- 10) Protection of the **confidentiality of information** of all residents regardless of immigration status.
- 11) Expeditious processing of **applications for citizenship** and lawful permanent residence and equity in processing times for persons of all faiths, ethnicities, and national origins.
- 12) **Expeditious family reunification** for lawful permanent residents with minor children and spouses.
- 13) Changing the laws on **material support** enacted in the **USA Patriot Act** and **Real ID Act** consistent with national security concerns and refugee protection objectives. Overly broad definitions of "terrorist organization" and "material support" have resulted in the rejection of thousands of applications from refugees abroad and the suspension of over 1,200 asylum cases and green card applications.

- 14) Issuance of driver's licenses and identification cards by the Department of Motor Vehicles that are in compliance with requirements of the Federal Real ID Act; a measure which authorized the states to issue **driver's licenses and identification cards to undocumented immigrants**, providing that the license or identification card clearly states that it may not be used for any other official purpose, and uses an unique design or color.

CHILD SUPPORT

The County supports:

- 1) The ability to consider **child and spousal support arrearages** in workers' compensation settlements and decisions.
- 2) **Garnishment of permanent disability advances**, vocational rehabilitation temporary disability payments, or vocational rehabilitation maintenance allowances through a Notice to Withhold.
- 3) The ability to place **liens on registered vehicles**, motorcycles, and boats, through the Department of Motor Vehicles (DMV), allowing for the payment of child support arrears when sold.
- 4) The ability to **place liens on real property** with a statewide registry, avoiding the need to place liens with individual County Recorder's Offices.
- 5) A statewide allocation methodology that considers the myriad disparate factors faced by individual **local child support agencies** (LCSA) and that adequately supports local operations in achieving performance potential. Ability for LCSA to earn incentives and carry over funds from one fiscal year to the next.
- 6) Efforts to expedite the process by which **child support orders** can be modified to reflect changes in parental income.

VETERANS ISSUES

The County supports:

- 1) Efforts to identify, treat, and provide **disability compensation for veterans' injuries and disabilities** resulting from "Operation Enduring Freedom" and "Operation Iraqi Freedom."
- 2) Increased **access to California's Veterans Homes** for those veterans suffering from Organic Brain Syndrome, Alzheimer's disease, and dementia.
- 3) Authority and funding for the **California Department of Veterans Affairs** (CDVA) to:

- a) **Provide transportation** of veterans to **VA Medical Centers**, outpatient clinics, and regional offices; and
 - b) Enable California to become the nation's leader and model in providing education, opportunity, and assistance to active duty soldiers and veterans.
- 4) An increase in the **Site Subvention Fund** that is used to offset part of counties' expenses for maintaining veteran services offices in California.
 - 5) Increased access for County Veterans' Services Offices to the US Department of Veterans' Affairs (USDVA) information systems for use in developing and monitoring claims submitted on behalf of veterans.
 - 6) Granting Presumptive Service Connection for Hepatitis C, "blast injuries," acoustic trauma and post-traumatic stress disorder for service in a combat zone.

PUBLIC SAFETY AND JUSTICE

PUBLIC SAFETY FUNDING

The County supports:

- 1) With regard to the State **Criminal Alien Assistance Program** (SCAAP):
 - a) Federal funding at a level that **adequately compensates all applicants**. In recent history, program funding has remained level while applications have greatly increased. The County's share has subsequently declined;
 - b) The ability to **claim for adjudicated delinquents**; and
 - c) The ability to **claim for all inmates**, not just those detained/incarcerated for "at least four consecutive days" during a 12-month period as currently required.
- 2) Retaining the ability to impose **booking fees** or receive state backfill.
- 3) Full State **funding for court security** costs provided by the County.
- 4) Ability to impose an additional fee on vital documents to fund **domestic violence** services.
- 5) **Funding allocations and formulae** that do not eliminate applicant eligibility of jurisdictions with low crime rates, nor favor cities at the expense of counties.
- 6) **Funding for public defender services** commensurate with funding increases obtained by other sectors of the criminal justice system.
- 7) **Consolidation of grant programs and simplification of application** and reporting procedures to prevent the need for preparing, monitoring, and reporting on a multitude of grant applications.
- 8) Efforts to expand local government **access to grant programs and funding**, which are currently directed to states only.
- 9) Full funding of the State **Citizen's Option for Public Safety** (COPS) program.
- 10) Funding for efforts to reduce the number of children unnecessarily or inappropriately detained, such as, the **Juvenile Detention Reform** (JDR) program.
- 11) Continuation of the Federal **Southwest Border Prosecution Initiative**, which funds prosecution and custody costs.

CAPITAL NEEDS

The County supports:

- 1) Federal and State financing for the construction and operation of **juvenile and adult correctional facilities** including:
 - a) Adequate funding for the construction, expansion, and maintenance of **local justice facilities**. At the Federal level, the County also requests the flexibility to use funding for replacement facilities;
 - b) Continued flexibility on State regulations regarding the construction and operation of correctional institutions and **Correctional Treatment Centers**; and
 - c) Continued flexibility on Federal regulations regarding the construction and operation of correctional institutions including **jails and juvenile facilities**. The County opposes Federal funding opportunities that link the receipt of funds to additional program restrictions.
- 2) Efforts to maximize, and expand, if necessary, the **use of existing State facilities** and programs to **ensure the adequate placement of mentally ill offenders**.
- 3) Adequate funding for **technology projects**, such as, electronic transmission of evidence, satellite communication systems, transfer of fingerprint data, and internal communications projects.

PROBATION DEPARTMENT

The County supports:

- 1) Maintenance and restoration of State **Juvenile Justice Crime Prevention Act (JJCPA)** dollars, a critical funding source for a number of innovative, local prevention programs.
- 2) A dedicated source of **State funding for Adult Probation Services**, similar to that provided by the JJCPA.
- 3) Protection of the Federal **Juvenile Accountability Block Grant (JABG)**. This funding stream promotes a number of alternatives to the traditional juvenile justice system, such as mentoring programs and substance abuse treatment.
- 4) Modifying the distribution of **Truancy Fines** from local school districts to the Probation Department to reimburse the County for related services. Schools are already rewarded financially through the increased ADA generated by the truancy program.

- 5) Continued funding for **juvenile justice programs**, focused on a continuum of services, to allow counties to develop and expand innovative prevention, intervention, and treatment programs.
- 6) Funding for **alternatives to juvenile incarceration**, such as, electronic monitoring and diversion programs.
- 7) Options to **enhance educational services for children in the juvenile and dependent care system, potentially including County authority to provide the education services**, as well as to improve collaboration between county placement agencies, the County Office of Education, and regional centers.

DEPARTMENT OF CORRECTION

The County supports:

- 1) Efforts to provide **maximum local control over county jail populations** including:
 - a) Initiating amendments to **Penal Code Section 4019** to equalize local and State good-time credits so that the incentive to serve time at local expense is eliminated;
 - b) Clarification that good conduct and work credit should not be given to persons participating in the **home detention electronic monitoring program**;
 - c) Clarification that good-time, work-time credit should be given to persons participating in alternative sentencing programs, such as **Public Service Program (PSP)** and **Weekend Work Program (WWP)**; and
 - d) The development and financing of alternatives to incarceration including **community monitoring and expanded treatment resources**.
- 2) **Clarification of what constitutes routine and non-routine inmate medical costs**, allowing counties to estimate overall medical costs, and increasing the rate for prisoners with special medical/religious dietary needs.
- 3) **Funding for psychotropic drug costs** incurred by incarcerated mentally ill offenders, and a 30-day supply of drugs given to mentally ill patients upon release.
- 4) Clarification that law enforcement and jails have authority to hold persons who are arrested and released due to **public intoxication** until he or she is sober and can exercise care for his or her own safety.
- 5) An increase in the allowable **medical co-pay** from \$3 to the community standard of \$10 for inmate-initiated, non-mandated medical appointments. This increase would more closely conform to the current rate for HMOs.

PUBLIC DEFENDER

The County supports:

- 1) State funding of **Penal Code Section 987.6**, which states that counties should receive reimbursement of up to 10% of the costs of indigent defense.
- 2) Efforts to increase the **registration fee** that can be collected from defendants for appointed counsel in criminal and juvenile cases.
- 3) Elimination of “**case-dropping**” by private attorneys. The County supports amending Penal Code Section 987.1 to allow judges to require private attorneys to represent these defendants until their cases are adjudicated in Superior Court.
- 4) State reimbursement for the **costs to counties of defending capital cases** including the costs of expert witnesses (Penal Code Section 987.9), with a provision that would make the reimbursement retroactive, so that costs currently being incurred would be claimable.

DISTRICT ATTORNEY

The County supports:

- 1) Increased funding to address **real estate fraud**.
- 2) Ongoing financial support for the crime and computer **forensics laboratories**.
- 3) Allowing district attorneys and county counsels to **recover costs from parents** for the representation of **dependent children**.
- 4) Authority to require **convicted identity theft/high technology crime offenders** to pay a fee equal to the law enforcement costs associated with the investigation and prosecution of the crime for which they were convicted.
- 5) Providing for the **jurisdiction in a criminal action** related to identify theft to include the county in which the victim resided at the time of the offense.
- 6) Amendments to the Penal Code that would prohibit imitation or toy firearms and instruments that expel plastic projectiles on school grounds.
- 7) Amendments to the Penal Code that would streamline the record collection process in Real Estate Fraud cases.

SHERIFF

The County supports:

- 1) **Statewide regulations on the purchase and sale of recycled metals** (e.g. copper) to include waiting periods for certain transactions, limited cash transactions, more authority to local governments to regulate, better records, and description of materials bought and sold.
- 2) Ability for the Sheriff to **remove DMV confidentiality** of terminated employees.
- 3) **Extension of sunset of \$1 vehicle registration** for auto theft abatement programs.

PROPOSITION 36

The County supports:

- 1) **Full funding** to assist counties in implementing Proposition 36, including:
 - a) Funding for **drug testing** for Proposition 36 defendants;
 - b) Funding for Probation departments to **monitor Proposition 36 drug offenders**; and
 - c) Funding for inmates incarcerated in jail pending assessment and a **pledge of future funding for incarcerating the offenders** who have failed substance abuse treatment.

GENERAL PUBLIC SAFETY ISSUES

- 1) With regard to **DNA testing**, the County supports:
 - a) Adequate funding to **cover the costs of testing** and new trial activities;
 - b) Efforts to **facilitate and fund regional lab facilities**, which are administered by local jurisdictions; and
 - c) For Federal and State crimes, **post-conviction testing of DNA evidence** for defendants where the technology available at the time of trial and where identity was a significant issue that resulted in a conviction.
- 2) The County supports funds for **substance abuse treatment, case management, in-custody programs**, supervision services and housing within and outside of treatment courts, accompanied by:

- a) **Expanded treatment options** for drug offenses to make sentencing more flexible; and
 - b) **Funding for substance abuse treatment** for adult diversion programs (deferred entry of judgment), particularly for those not eligible for services under Proposition 36.
- 3) The County supports efforts to assist the County in the **recruitment and retention of criminal justice officials** including improved pay for State and Federal employees who impact the county criminal justice system, such as the Bureau of Citizenship and Immigration Services (BCIS), U.S. Attorney's Office, and Insurance Fraud Bureau to attract and retain a quality workforce.
 - 4) The County supports efforts to **strengthen hate crime laws** and programs, which address the prevention of such crimes.
 - 5) The County supports **Federal efforts to expand hate crime statutes** to include sexual orientation and gender identity.

HOUSING, LAND USE, ENVIRONMENT, AND TRANSPORTATION

HOUSING

The County supports:

- 1) The **preservation of existing affordable housing and development of new affordable housing**. Potential mechanisms include solutions to the region's housing crisis that address the needs of the homeless, low-income, and extremely low-income residents such as CalWORKs clients, at-risk families, and clients receiving alcohol and drug treatment, special needs populations---such as, the mentally ill and developmentally disabled---and the elderly.
- 2) With regard to the Federal Section 8 program:
 - a) Preservation of existing **Section 8 units**;
 - b) An increase in the number of Section 8 **vouchers**;
 - c) Making **Shelter Plus Care funding** permanently eligible for renewal from the Section 8 housing certificate fund rather than the yearly McKinney-Vento appropriation; and
 - d) Increased Federal funding for the **Community Development Block Grant (CDBG)**, Home Investment Partnership Program (**HOME**), Housing for People with AIDS (**HOPWA**), and **Emergency Shelter Grant (ESG)** housing programs.
- 3) Full Federal funding of the **McKinney-Vento Homeless Assistance Act**, which provides a number of programs related to shelter and related housing services.
- 4) Modification of the State's CDLAC distribution formulas, which finance **Mortgage Credit Certificates (MCCs)**, to allow for home buying in high-cost areas of the state. Such changes might include allowing local MCC issuers a larger share of the single family funding allocation, and allowing single family issuers (specifically, local single family issuers) be considered for extra allocations when other issuers fail to spend their entire allocation.
- 5) Efforts to address California's current **jobs/housing imbalance** including incentives to locate employment centers near existing housing, and to ensure an adequate housing supply is created near new employment centers.
- 6) Continued State funding and authority to **use National Guard armories as shelters** for the homeless year round until permanent housing is established. The County also supports a decrease in or elimination of the rent charged by the State for use of the armories.

- 7) Mechanisms to **finance housing options for local government employees** so that the County may recruit and maintain a local workforce.
- 8) Efforts to encourage development of **green affordable housing**, which is environmentally friendly and generates cost-savings for its residents.

PLANNING, LAND USE, AND DEVELOPMENT

The County supports:

- 1) The increased ability of local government to **mitigate development decisions made by neighboring jurisdictions**. Future development in San Jose's Coyote Valley, for example, would impact the County's operational costs.
- 2) With regard to the State's **Housing Element**, the County supports:
 - a) Allowing jurisdictions to **self-certify** their Housing Element;
 - b) Modifications to the current housing element requirements, which do not dilute the goal of increasing the affordable housing supply, but rather **eliminate administrative and other barriers** that can impede successfully obtaining certification of a housing element;
 - c) Recognition that certain counties in California including the County of Santa Clara have adopted and implemented General Plan land use policies that **do not allow urban uses and development in rural areas** outside urban services areas and require **annexation of urban pockets** and parcels prior to new development;
 - d) Adjustments in the way units are attributed to jurisdictions so that local governments have an **incentive to collaborate** on affordable housing projects. Similarly, localities should receive credit for units they assist in developing; and
 - e) Efforts to require compliance with the State's Housing Element that protect against the **loss of local government revenue** or **increased local government liability**.
- 3) Efforts to encourage "**smart growth**" land use decisions, which lead to more livable communities including:
 - a) The establishment of **higher-intensity corridors in specified urban areas** in compliance with existing General Plans;
 - b) **Reevaluation of density rules** that currently benefit lower density development;
 - c) Reconsideration of standards that favor **vehicles over pedestrian** traffic;
 - d) Examination of transportation demand management (**TDM**) activities;

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- e) Acknowledgement that cities and counties may develop differently, and recognition that the County of Santa Clara has a policy of not developing in **rural unincorporated areas**;
 - f) Increased **incentives for mixed-use development**, which could include both residential and commercial units; and
 - g) Development incentives which do not erode property tax revenue for local government.
- 4) Efforts to encourage **development of green buildings**.
- 5) Close review of any new legislative efforts to manage **regional growth issues**. Maintain “revenue neutrality,” which, in an incorporation, helps counties preserve local revenues by requiring the transfer of revenue and responsibility to have a neutral impact on counties.
- 6) Maintenance of adequate **open space/park lands** when infill development is utilized.
- 7) Legislation that enhances the ability of local governments to require **new development to pay for the costs of infrastructure and services needed** for such development and to mitigate the impacts of development.
- 8) Continued **local control** over land use decisions. For example:
- a) The County **opposes imposition of new General Plan requirements** without adequate compensation or reimbursement;
 - b) The County **opposes efforts to restrict local land use laws** and to require preferential treatment by local jurisdictions in favor of any particular type of land use;
 - c) Further, the County **opposes providing a property owner expedited access to Federal courts** for a regulatory “taking” of his property, skipping the State court level;
 - d) The County supports **local authority to regulate Indian Gaming facilities** and adequate reimbursement to cover increased enforcement costs; and
 - e) The County supports consideration of climate change as part of CEQA analysis when provided with clear guidelines, protocol, and standards for evaluation.
- 9) **Expedited permitting** by State and Federal agencies that would allow County projects to be completed quickly and more efficiently.
- 10) Programs and funding that support planning and land acquisition directed towards protection and enhancement of biotic communities in support of **Habitat Conservation Planning** efforts.
- 11) Increased ability of the **Airport Land Use Commission (ALUC)** to impose fees, which support its activities.

AGRICULTURE, WEIGHTS AND MEASURES, AND ANIMAL CONTROL

The County supports:

- 1) The protection of existing revenue sources and enhancing State and Federal funding for pest prevention activities. The County supports timely Federal and State funding and local flexibility to enhance the Agricultural Commissioner's ability to respond to pest emergencies. In most cases, reimbursement is ultimately provided by State and Federal agencies.
- 2) Enhanced **local authority to modify fees for agricultural and weights and measures services** to promote full cost recovery.
- 3) Creation or expansion of **revenue sources for animal control** activities.
- 4) Policies and programs that **reduce the number of cats and dogs entering the animal shelter**.
- 5) Programs to ensure the legal, responsible, and **judicious use and disposal of pesticides** by farmers and others in the production of a wholesome and safe food supply.
- 6) An updated mechanism to distribute a portion of **unclaimed gas tax** to California Agricultural Commissioners.

PARKS AND RECREATION

The County supports:

- 1) The timely and equitable allocation of **infrastructure dollars** approved in Proposition 84 of 2006.
- 2) Funding for **preservation of open space**, regional parks, historic or culturally significant areas or structures, urban facilities, and trails with authority for the fund allocation and project designation given to local agencies.
- 3) Continued **State funding for County Motorcycle Park**.
- 4) Full Federal funding of the local program component of the **Land and Water Conservation Fund**, which supports land acquisition and regional park development, and an allocation formula that is equitable for California.
- 5) The policy of **resource protection** for the safekeeping of lands in local, State, and Federal parks.

ENVIRONMENTAL HEALTH

The County supports:

- 1) Legislation aimed at improving the **safety of the food supply** so as to minimize the risks posed by bacteriological, viral, chemical, and environmental contaminants and to reduce the incidence of food borne illness.
- 2) Efforts to make **information related to food facility reporting more accessible to the public**; specifically, providing authorization to the State Department of Health Services (DHS) to notify local health officers and environmental health directors of any food products being sold in California that are a subject of a federal or state recall, and requires DHS, local health officers, and environmental health directors to notify the public.
- 3) **Increased food labeling transparency**, particularly for items labeled “veggie,” “vegie,” or “vegan.”
- 4) Continued efforts at the Federal level to create a Maximum Contaminate Level (MCL) for **perchlorate** in ground water.
- 5) Encouraging the Federal Aviation Administration to **develop lead-free fuels for aircrafts**.
- 6) Statewide **regulations regarding body art** and the safe storage and disposal of associated biohazards, such as, medical waste.
- 7) Efforts to address **West Nile Virus** and **Africanized honeybees** in California including funding and infrastructure support for Vector Control and other impacted County departments.
- 8) Preventing the introduction of **non-native species of insects** with human medical significance.
- 9) **Restoration of tidal marsh to productive wildlife habitat**, the primary objective of the South Bay Salt Pond Restoration Project. Support is needed to develop access for emergency and routine services, monitoring the effect of the project on the community’s environmental health, and managing pest species generated by the wildlife habitat.

INTEGRATED WASTE MANAGEMENT

The County supports:

- 1) Improved Integrated Waste Management Programs including efforts to promote “**Zero-Waste California**,” the standardization of the use of terms; local government authority to

direct waste to permitted facilities; local jurisdiction compliance with AB 939 goals; and improved accuracy of the State-mandated reporting.

- 2) Securing local Integrated Waste Management program **funding and financing**; local solid waste franchising and fee-setting authority; compensation for the collection, recycling, and disposal of Universal Waste; and alternative funding sources.
- 3) Expanded **Product Stewardship and Producer Responsibility** that reduces the amount and toxicity of solid waste generated and shifts the costs for the recovery and disposal of problem wastes to the producers of the products.
- 4) Legislation and programs that **allow pharmacies to implement or operate drug take-back programs**.
- 5) Expansion of **Recycling and Composting Programs** by improving markets for recyclable materials, encouraging the purchase of products containing recycled materials, implementing a statewide recycling information network, and clarifying ownership of recyclable materials.
- 6) **Energy recovery from landfill gas**, wood wastes, and other biomass.
- 7) Performance standards and use of **alternative cover for landfills**, limited to the quantities required, to protect public health and safety and minimize nuisances.
- 8) Legislation to further address **litter control** and abatement problems in California including enforcement, outreach campaigns, and the cleanup of littered areas.
- 9) Establishment of a voluntary **California Green Business Program** that ensures consistency throughout the state while allowing reasonable flexibility within a jurisdiction and flexible funding opportunities to assist businesses in protecting the environment through good business practices.
- 10) A **Green Building Program** that encourages building practices that reduces material, water, and energy consumption, uses recycled content materials, and reduces the overall impact to the environment.
- 11) Regulations that prohibit the release of **radioactive or radiation-contaminated materials** into the recycling stream.
- 12) Requirements that products containing hazardous waste be designed, manufactured, and used in ways that avoid harm to workers and the environment and shall be managed and recycled using proper processes and procedures according to environmental regulations and Department of Toxic Substances Control guidelines.
- 13) Elimination of local government **liability under Superfund for the disposal of ordinary municipal waste**, expedited de minimis settlements for hazardous material generated by local government operations, and allocation of costs on the basis of toxicity rather than the

volume of municipal waste. Superfund reform should also provide a level of protection to third party investors, lenders, and developers of Brownfield sites.

FIRE PROTECTION

- 1) The County supports legislative efforts to **increase coordination, collaboration, and communication** between the state and local governments in the development of better land use policies and wildland fuel management programs.
- 2) The County supports obtaining the **authority to impose fees** for conducting defensible space inspections.
- 3) The County supports proposals that provide the **broadest access to the most effective technologies for disseminating information** to the public in the case of natural or manmade disaster or public health emergencies.
- 4) The County supports policies and programs to reduce further development in the underserved areas so long as they do not supersede our local land use authority.
- 5) The County opposes efforts to impose **minimum staffing and response time** standards for County fire services.

TRANSPORTATION

The County supports:

- 1) With regard to Proposition 42, additional protections in the State Constitution for local streets and roads funding.
- 2) Authorization of a new Federal Transportation Act that provides a streamlined and flexible approach to allocating Federal funds that allows local agencies the ability to use funds for a range of highway, transit, local road, and bicycle/pedestrian improvements based on need and addresses the following:
 - a) Protection and enhancement of transportation revenues and expenditures;
 - b) System maintenance and preservation;
 - c) Increased safety on existing transportation systems;
 - d) Environmental and climate change concerns; and
 - e) Funding mechanisms that anticipate future revenue and cost change.
- 3) **Expedited permitting** by State and Federal agencies that would allow County projects to be completed quickly and more efficiently.

- 4) The ability to pass a **local transportation sales tax with a less than two-thirds vote**.
- 5) State funding for battery back up of **light emitting diode (LED) traffic signals**.
- 6) With regard to the **Metropolitan Transportation Commission (MTC)** or an organization that merges MTC and the Association of Bay Area Governments (ABAG), the County supports equitable representation with regional balance based on population that includes a seat for the County of Santa Clara and the City of San Jose.
- 7) Efforts to **fund regional transportation projects**. The County will advocate for adequate revenues from the potential implementation of AB 595 (Regional Gas Tax), and participate as appropriate and necessary in the regional gas tax expenditure planning process.
- 8) Legislation that allows unspent, appropriated funds in the **Highway Users Tax Account (HUTA)** to be continuously appropriated in years when the State budget has not passed by the beginning of the fiscal year.
- 9) Efforts to obtain State funding for **community safety efforts**, such as, accident prevention and traffic safety efforts.
- 10) Legislation to address **litter control and abatement problems** in California including measures to:
 - a) Increase funding for State and **local litter removal projects**;
 - b) Expand the enforcement authority of the California Highway Patrol (CHP) to include enforcement measures for any **vehicle generating litter on public roadways**; and
 - c) Implement a strong statewide **anti-litter outreach campaign**.
- 11) Increased State funding for **general aviation airport capital and planning projects**.
- 12) **Redesign of the FEMA reimbursement process** including:
 - a) **Reimbursement for permit or agency requirements** incorporated into damage repairs;
 - b) **Adjustment of cost codes** to better reflect the actual costs to be incurred by the respective jurisdiction;
 - c) **Response to appeals and supplements** within a reasonable time frame. FEMA should be held to the same deadlines as applicants. There is no deadline for FEMA's response;
 - d) **Prospective application of new policy**, guidelines, or interpretations. Like other Federal policies, FEMA policies should be subject to a public notice process to allow for public comment and provide advance warning of potential policy changes; and

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- e) **Assurance that work will be approved** so the repair process can begin. The process is delayed when work approved by FEMA at the local level is rejected several months later at higher levels in the organization.
- 13) With regard to the **1996 Telecommunications Act**, the County supports protecting local jurisdiction management of right-of-way, and establishing the ability for local governments to obtain reimbursement from entities, such as, cable operators which create a public cost.