

County of Napa



A Tradition of Stewardship
A Commitment to Service

Legislative/Regulatory Platform
2014

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Priority 1 Legislation

The Board of Supervisors unanimously endorses the following items as having the highest priority for Napa County in the 2014 legislative session:

- **Funding for Replacement Jail:** Identify funding sources and support legislation that provide opportunities to financially support the construction of a new replacement jail and supporting facilities.
- **Napa State Hospital:** Work with other counties that host State hospitals to develop legislation or take other action that is based on the principle that State hospital inmates charged with crimes on State hospital property should be housed and managed by the State pending trial and not by the host county. This will ensure State hospital staff/patient and county staff safety and also maintain the level of medical and mental health care that a State hospital patient requires.
- **Tribal Recognition and Fee to Trust:** Oppose efforts to take Napa land into trust.
- **Glassy-winged Sharpshooter and Other Pest Control Funding:** Ensure continued funding for Napa County’s efforts to protect viticulture industry from grapevine pests.
- **Housing Element Law:** Reform the State’s housing allocation process to recognize the unique conditions of agricultural counties such as Napa County.



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TABLE OF CONTENTS

INTRODUCTION	5
LEGISLATIVE GOALS	7
PRIORITY 1 - LEGISLATION	
Funding for Replacement Jail.....	9
Napa State Hospital.....	10
Tribal Recognition and Fee to Trust.....	12
Glassy-Winged Sharpshooter, Pest Control, Early Detection.....	12
Housing Element Law.....	13
PRIORITY 2 - LEGISLATION	
Public Safety Realignment/State Prison Reform.....	15
Peace Officer Status for Correctional Officers.....	17
Mental Health Medi-Cal Administrative Activities.....	17
Library Funding.....	18
Education Revenue Augmentation Fund (ERAF).....	18
Merit System.....	19
Recycled Water /Groundwater Monitoring and Supplies.....	20
Farm Worker Housing Fund.....	21
Child Welfare Services for Emancipated Foster Youth.....	21
Health Care Coverage, Access and Integration.....	22
Local Mental Health Systems.....	24
Protect Health Care Services for Vulnerable and Rural Populations.....	25
Public Employee Pension Reform Implementation.....	25
Property Tax Postponement Program Restoration.....	26
California Environmental Quality Act Reform.....	27
PRIORITY 3 - LEGISLATION	
Housing and Homelessness.....	28
Extended Producer Responsibility/Waste Management.....	29
Sudden Oak Death.....	30
Local Control in Emergency Medical Services.....	30
Disease Reporting.....	31
Funding for Health and Human Services Programs.....	31
Implementation of Katie A. Lawsuit.....	32
Healthy Schools.....	33
Access to Alcohol and Drug Abuse Prevention, Related Services.....	33
Delta Water Supply Allocation.....	34



A Tradition of Stewardship
A Commitment to Service

MONITOR AND SUPPORT - LEGISLATION

Weed Pest Management Funding	35
Prop. 218 Water & Sewer/Storm Water Programs	35
Timing of State Contracts and Reimbursements	36
In-Home Supportive Services	36
Enhancement of Child Welfare Services	38
Senate Bill 90 Claims	39
Older Adult Services	39
Public Conservator, Public Guardian and Public Administrator	41
State Funding for County Veterans Services Office	41
Public Health Impacts of Growth and Development Policies	42
Workforce Development and Retention	42
Welfare Reform	44
Weights and Measures Price Verification Programs	44
State Responsibility Area Fees	45



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A Commitment to Service

INTRODUCTION

General Legislative Principles

The primary goal of the County's elected representatives and its employees, as mandated by the State of California, is to serve and support the social and economic well-being and the health and safety of its citizens. Therefore, the Napa County Board of Supervisors supports the following adopted principles:

- The County of Napa will encourage, seek and support legislation that protects the County's quality of life, its diverse natural resources and preserves the County's essence and history.
- The County of Napa will encourage, seek and support legislation that facilitates orderly economic expansion and growth and increases the opportunity for discretionary revenues and programmatic and financial flexibility for the County.

County staff and the County's legislative advocates will apply these general principles to evaluate legislation and other proposals when making recommendations to the Board of Supervisors.

Legislative Priorities

Napa County's 2014 legislative priorities are separated into the following four tiers:

- **PRIORITY 1** – issues specific to Napa County that the Board has determined are a top priority to resolve and will seek to address by sponsoring legislation or supporting legislation in 2014.
- **PRIORITY 2** – statewide issues the County will actively pursue because they directly affect the County.
- **PRIORITY 3** – other issues the County will pursue because they directly affect the County.
- **MONITOR AND SUPPORT** – issues the County may pursue that generally have a statewide impact.



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Five Functional Areas of County Government

Issues that are categorized as Priority 2, 3, and Monitor and Support are labeled in the Platform as either Napa Specific issues, or one of the five following functional areas of County government:

1. Community Resources and Infrastructure
2. Public Works
3. Health and Human Services
4. Law and Justice
5. General Government



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LEGISLATIVE GOALS

Preserve Agricultural Heritage and Economy

To preserve Napa County's agricultural heritage and economy and also the ability to appropriately locate housing for its citizens in the urban areas of the County, the Board seeks State housing needs assessment reforms. These reforms should provide flexibility and acknowledge the distinction between rural and urban counties.

In 1968, the residents of Napa County had the forethought to preserve open space and prevent future overdevelopment by enacting the nation's first Agricultural Preserve. The Agricultural Preserve has ensured that Napa Valley's limited resources are preserved for agriculture first and foremost. Recently, a group of individuals has sued to be recognized as the Mishewal Wappo tribe. As part of that lawsuit, these individuals have requested that land in Napa County be taken into sovereign trust status. Such status would exempt the property from local land use regulations, including provisions regulating the Agricultural Preserve, and could upset the ecological balance in Napa County.

Preserve Local Funding from State/ State Budget Reform

The Napa County Board of Supervisors acknowledges the severity of the State's recent budget crisis. However, as the State's financial circumstances improve, the Board seeks to preserve and restore historic State funding levels of local government programs to the furthest extent possible. Stable and increasing State funding of local programs is even more important now that the State has delegated certain new responsibilities to the County under recently enacted realignment initiatives. The Board also encourages the Governor and Legislature to enact budget reform legislation that grants maximum flexibility to local governments to effectively and efficiently administer State-mandated programs for the public.

Specific Goals

The Board supports the following:

- Encourage and support legislation that reduces the burden on rural counties, given the lack of adequate infrastructure and services necessary to support housing in the less developed unincorporated areas.



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- Sponsor legislation that includes the ability to transfer mandated County units to the incorporated areas within the County at any time during the housing cycle and receive allocation credits for those transfers in exchange for the expenditure of County housing funds.
- Identify and support measures that maximize Napa County's economic vitality while maintaining the County's unique agricultural heritage and environmental values.
- Preserve vital Napa County and other local revenues and funding sources from further reductions, especially those that would directly impact the County's General Fund and the County's ability to serve its residents. Support legislative and policy initiatives that maintain funding levels for public health and safety programs.
- Seek to eliminate unfunded and/or unnecessary State mandates. Also, support legislation that allows maximum flexibility to local governments to effectively and efficiently administer state-mandated programs and provides local governments' additional protection from state mandates that attempt to micromanage local affairs.
- Support legislation that provides local governments with broad authority and flexibility in personnel and pension management issues.
- Work with our legislative delegation to ensure tribal land is not exempt from local land use regulation.



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PRIORITY 1 LEGISLATION

REPLACEMENT JAIL FUNDING

In November 2004, at the direction of the Napa County Board of Supervisors (Board), a Criminal Justice Committee was formed to identify and address the County's jail and other adult correctional system needs over the next 20 years.

The Board's direction was to embark on a well thought-out effort to assess the operation of the local criminal justice system and its effect on jail use, and to make reasoned decisions on various issues, including, but not limited to, whether additional jail beds were needed. The culmination of activities by the Committee as well as various consultants led to the preparation of the Napa County Adult Correctional System Master Plan, which was prepared as three, phased reports in 2007, 2008, and 2010.

The Master Plan identified physical and functional deficiencies in the following areas:

- inmate housing, including insufficient capacity
- inmate processing
- indoor/outdoor recreation
- medical and mental health services
- inmate programs
- food preparation and dining
- building maintenance and building equipment.

In addition, Assembly Bill (AB) 109 "Realignment" of the California correctional system, which allows lower risk offenders to serve their sentence in County Jail instead of State prison, has increased the need to accommodate a growing inmate population, provide up-to-date security, and increase the operating efficiency of the facility.

The County is seeking funding to assist in the building of a new jail facility and supporting facilities that will address the deficiencies and the anticipated increase in the inmate population.

ACTION:

- Identify funding sources and support legislation that provide opportunities to financially support the construction of a new replacement jail and supporting facilities.



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NAPA STATE HOSPITAL

Napa State Hospital (NSH) has gradually transformed from a large, single-purpose, mental health hospital for civil commitments to a multi-use campus of mental health, prison and local programs and facilities. As this transformation continues, it should be planned in a manner that ensures protection for the health and well-being of Napa County, its residents, and the staff and patients of the hospital.

Napa County, and all counties that are geographic hosts for State hospitals, experience a unique demand on local resources when a State hospital patient is charged with committing a crime while in residence at the State hospital. First, our citizens are serving a non-local population because these individuals have been brought to the State Hospital from counties throughout the State. Second, this population has qualitatively higher mental health needs than the general criminal justice population, thus costing more to serve in each of the areas of government required to provide services, such as: Public Defender, prosecution, jail services, mental health and medical services, and supervised transportation to and from court and other facilities.

Napa County is concerned not only with the disproportionate costs it incurs as a host county to a State Hospital, but also with ensuring that the medical and mental health of patients accused of committing crimes is maintained at an adequate level. A small county jail cannot be expected to provide the same level of medical and mental health care that is available at a State Hospital and necessary for these patients. Napa County has committed both General Fund and 2011 Public Safety Realignment funding towards caring for the mental health of its inmates, but should not be expected to bear the additional burden of providing criminal justice and mental health services to individuals from the state hospital, just because such hospital is located in our County.

Compounding this local challenge is that State mental hospital patient capacity is inadequate to accommodate the combined referrals of the civil commitment process under the Lanterman-Petris-Short Act plus referrals of inmates from throughout the state's local jails, who are in need of mental health hospitalization. This results in long waiting lists at certain state hospitals, costly transportation of civil commitments to distant and more costly facilities, and extended stays in county jails and other inappropriate settings for those requiring mental health services, often after a court order has directed the individual to a State Hospital. This causes risk to the persons awaiting transfer, staff and inmates in local mental health receiving centers and jails, and significant local costs incurred while providing housing, supervision and interim care for these persons.

ACTION:

1. Sponsor legislation, seek administrative resolution, and seek collaboration with other geographical-host counties to achieve the appropriate management of patients accused of committing crimes at State Hospitals that will ensure State



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hospital staff/patient safety, but also maintain the level of medical and mental health care that the patient requires. This legislation or other action should be based on the principle that State Hospital inmates charged with crimes on State Hospital property should be housed and managed by the State pending trial. This may include the establishment of secure forensic facilities on State Hospital grounds, staffed with State employees, to house inmates accused of certain crimes or the use of existing mental health units located within secure California Department of Corrections and Rehabilitation facilities while they await trial.

2. Support legislation to provide for safety improvements at NSH, thereby reducing the need and reliance on Napa County's jail and health systems for hospital patients.
3. Support measures to increase the ability of State hospitals or other non-County agencies to internally handle patients who commit offenses while in residence, rather than transfer them to the local jurisdiction.
4. Support measures to assure continuity of mental health care for patients who are transferred between State hospitals and local jails.
5. Commence discussions with the California Department of State Hospitals (DSH) to site a forensic facility at the State Hospital.
6. Continue to seek legislation regarding staffing and safety improvements at NSH to ensure that safety and capacity at Napa County jail is not adversely impacted.
7. Support legislation promoting (and oppose legislation that might impair) regular and open access to, and communication among, county departments and agencies, the DSH and the hospitals themselves.
8. Support legislation increasing the patient capacity of the DSH at facilities outside of Napa County for both civil and criminal justice referrals.
9. Support legislation expediting the transfer process of inmates in local jails to the DSH.
10. Support legislation empowering the California Mental Health Services Authority (CalMHSA) joint powers authority to act on behalf of counties in negotiating with the DSH or the California Department of Health Care Services.
11. Sponsor legislation, seek administrative resolution, and seek collaboration with other geographical-host counties for full reimbursement of costs incurred by hosting State hospitals, including:



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- Jail services (when State hospital patients become inmates in the local correctional facility)
 - Patient transportation
 - Public Defender
 - Medical services
 - Mental health services
 - Crisis care
 - Evaluation
-

TRIBAL RECOGNITION AND FEE TO TRUST

In 1968, the residents of Napa County had the forethought to preserve open space and prevent further development of agricultural lands by enacting the nation's first agricultural preserve. A group of individuals has brought suit against the Secretary of Interior to seek federal recognition as the Mishewal Wappo Tribe of Alexander Valley and take land within Napa County's exterior boundaries into trust. Federally-recognized Native American tribes possess tribal sovereignty and are not subject to state or county laws. Trust land is exempt from local land use regulations and is eligible for casino operations. Hence, if Napa land is taken into trust, Napa County's agricultural preserve and its economic fabric would be impacted.

ACTION:

- Support efforts to enact legislation and regulations to require any group seeking federal tribal recognition to follow established federal administrative procedures in proving tribal standing and to ensure that land within Napa County's exterior boundaries is not taken into trust and becomes exempt from local land use regulations.
-

GLASSY-WINGED SHARPSHOOTER AND OTHER PEST CONTROL AND EARLY DETECTION FUNDING

The Glassy-winged Sharpshooter and other grapevine pests present a huge threat to the State of California's and Napa County's agricultural economy. Continued funding of the Glassy-winged Sharpshooter and other pest control programs are critical. The Vine Mealy Bug and Light Brown Apple Moth also pose threats to the state's agricultural



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economy. Funding for early pest detection and surveillance programs should be pursued as needed.

ACTION:

1. Support the continued federal and State funding of Glassy-winged Sharpshooter Program activities and support funding as needed for threats posed by the Vine Mealy Bug, Light Brown Apple Moth, European Grapevine Moth, and other pests that may pose a threat to the Napa County agricultural industry.
 2. Support federal and State legislative and administrative proposals that provide resources for the State and counties to perform early pest detection and surveillance activities.
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HOUSING ELEMENT LAW

The County has had critical concerns for several years regarding the State-mandated Regional Housing Needs Allocation (RHNA) process due to the conflict it creates between local land use policies (e.g., preservation of agricultural lands and city-centered growth policies) and State and regional mandates to create more housing.

A major obstacle is that agricultural areas like Napa County are largely unpopulated and have few public services in vast stretches within their unincorporated territory. Affordable housing should be built in locations near workplaces and urban centers that have the full complement of infrastructure, transit, and other services needed and used by persons that would qualify for affordable housing. In 2013, the County spent over \$1 million defending its housing element that incorporated these principles and that the courts found to be adequate, although the California Department of Housing and Community Development (HCD) has refused to certify. A tremendous waste of taxpayer funds has occurred as a result of the incentives for private lawyers to file suits against county housing elements and bill time under the premise that someone's civil rights have been violated. The County believes this is a poor process and needs to change.

Napa County continues to seek ways to implement its housing principles. To that end, the County has initiated a worker proximity housing program. This program provides financial support for newly purchased housing to individuals that are working in close proximity to that housing. In addition, Napa County will seek to obtain supporting legislation and funding to further this program.

For these reasons, Napa County supports enacting legislation and seeking administrative mechanisms that would achieve maximum flexibility for agricultural



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counties in their efforts to site and build affordable housing within a county. Further, Napa County seeks authority during state housing element cycles to recognize that expenditures made to support affordable housing are credited towards the County's RHNA obligation.

ACTION:

1. Support legislative efforts intended to limit the exposure of county governments in civil liability lawsuits.
2. Advocate and work with other counties in writing specific legislation and seeking administrative mechanisms that limit housing allocation mandates in the unincorporated areas of prime agricultural counties such as Napa. Such efforts should provide local jurisdictions with more input in identifying and certifying the adequacy of sites for housing throughout the County.
3. Continue efforts at the administrative level with the Association of Bay Area Governments (ABAG) and HCD to help implement Plan Bay Area as passed by ABAG in 2013 that locates housing near jobs and transit and preserves prime agricultural land. It is consistent with agreements between a county and cities in a county to direct growth toward incorporated areas of the county, etc. Also, the County will continue to work collaboratively with its municipalities to ensure future city-centered growth within Napa County. This includes working with cities during the current housing allocation cycle.
4. Build on the County's worker proximity housing program, implemented in 2011, by obtaining funding and legislation as appropriate, with the goal of obtaining RHNA credit for new houses or purchases under contract. Seek an amendment to pending legislation, such as AB 1051 (Bocanegra) to incentivize proximity housing. Also, support legislation that would allow work proximity housing units under contract to be credited towards a jurisdiction's RHNA obligation.
5. Seek changes in state legislation that will broaden the actions that would count as RHNA credits during a cycle, including when a jurisdiction commits to fund affordable housing in other jurisdictions.
6. Seek legislative or administrative mechanisms to provide local jurisdictions with more input in identifying and certifying the adequacy of sites for housing throughout the County. In particular, require HCD to acknowledge housing sites with densities less than 20 dwelling units per acre as suitable for affordable housing.



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PRIORITY 2 LEGISLATION

PUBLIC SAFETY REALIGNMENT/ STATE PRISON REFORM (Law and Justice)

The Legislature and Governor approved a massive \$6 billion public safety and health and human services realignment in 2011, which shifted major programmatic responsibilities from the State to counties. This legislation imposed certain requirements on local governments in implementing the realignment, including the following:

- This realignment requires a county's Auditor-Controller to create a separate accounting procedure for disbursement of realignment funds. The realignment imposes very specific responsibilities on the Auditor Controller regarding the record keeping and reporting of these funds.
- The realignment requires that a Community Corrections Partnership group is convened to adopt a realignment plan each year.

In addition, the 2011 Public Safety Realignment and other measures reformed the State prison system, including through the implementation of evidence-based criminal justice practices. This reform is intended to control State costs of operating the system, improve health services provided to prisoners, and improve outcomes for prisoners after their release. Many of the proposals still under development or already adopted will have significant impacts on counties, including shifts in prisoner populations into local jails, mandated levels of county health services to be provided to prisoners while incarcerated or post release and shifts in the allocation of limited county services and resources from the general public to persons in the criminal justice system. However, many of these proposals do not include sufficient funding to cover the costs to counties.

Overcrowding in county jails throughout California remains a substantial challenge. Although certain alternatives to incarceration, such as home detention programs, have reduced crowding in county jails in some jurisdictions, additional inmate capacity for county jails is necessary, particularly as reforms are passed and implemented that shift State prison populations to local jails. However, funds for expanding existing county jail facilities and constructing new jail facilities are severely limited.

Exacerbating these challenges, the 2011 Public Safety Realignment realigns some public safety responsibilities to the local level, which in part will relieve state prison overcrowding by requiring counties to house some offenders in county jails and take on parole supervision through probation. This Realignment has failed to include secure, adequate and ongoing funding and protections for counties.



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ACTION:

1. Seek maximum flexibility in the implementation of the 2011 Realignment through modification of the various formulas that have been developed.
 2. Seek maximum flexibility in the use of funding to ensure that counties can best utilize resources to meet local needs.
 3. Monitor the impacts of transitional-aged foster youth that are county probationers to ensure that these youth have access to services provided under AB 12 (Beall).
 4. Closely monitor the data generated through the implementation of the public safety realignment. Advocate for maximum flexibility of county resources to produce positive outcomes for realigned offenders. Oppose any State efforts to restrict or recoup unused AB 109 funding that may accrue on an annual basis.
 5. Ensure that adequate funding is provided to implement the evidence-based practices mandated by the Realignment.
 6. Oppose legislation that would directly or indirectly shift costs related to State prisoners that are transferred under Realignment to counties.
 7. Oppose legislation that would require counties to prioritize health and other services to persons exiting the state prison system over services offered to the general public.
 8. Support and advocate for the passage of legislation and implementation of bond measures or other funding mechanisms that would include additional funding for expansion of existing and construction of new county jail facilities.
 9. Support legislation that provides for the State to retain responsibility, including fiscal responsibility, for services provided to prisoners on State parole.
 10. Support legislation that would authorize additional bond funding for counties to access in order to construct community-based correctional and rehabilitation facilities, in accordance with the goals of the 2011 Realignment.
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PEACE OFFICER STATUS FOR CORRECTIONAL OFFICERS **(Law and Justice)**

The correctional officers employed at the Napa County jail are not currently eligible to be classified in California statute as peace officers. Providing Napa County correctional officers with limited peace officer status would provide the needed authority to deal with a changing criminal population resulting from prison realignment and make officers more effective when enforcing regulations due to the significant consequences of assaulting or murdering a peace officer. Classifying Napa County correctional officers as peace officers will also provide needed flexibility to deal with emergency transport situations and assist in attracting higher quality candidates when recruiting new officers.

ACTION:

1. Seek and support legislation amending Government Code Section 830.1 (c) adding Napa county's correctional officers to the list of counties that may designate custodial officers working in the county jails as officers with limited peace officer status.
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MENTAL HEALTH MEDI-CAL ADMINISTRATIVE ACTIVITIES **(Health and Human Services)**

The mental health auditors from the California Department of Health Care Services have begun to systematically review and disallow a long-standing method used by Napa County and others to determine the Medi-Cal percentage, i.e., a discount method used for calculating federal reimbursement under Mental Health Medi-Cal Administrative Activities (MHMAA). Counties have used this method for years. Napa County stands to lose close to \$1 million in Fiscal Year 2014 and about \$200,000 annually thereafter in disallowances if the interpretation withstands appeal(s). This ripple effect across counties could effectively shut down mental health programs, due to the enormous costs associated with this new interpretation of the approved methodology to calculate costs. Further, there are potentially broader implications to counties if this disallowance is upheld through the appeals process, as other programs rely on this calculation to determine costs.

ACTION:

1. Seek and secure the intervention of Napa County's legislative delegation in shifting the Administration's position regarding the calculation methodology.
2. Work with similarly-affected counties to form a broad coalition, including the legislative delegations of other counties, to ensure an outcome that does not financially harm the County, and preserves access to mental health programs.



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LIBRARY FUNDING **(General Government)**

Library services and resources are a critical component to the vibrancy of a community. State support for public libraries is minimal and county libraries especially are impacted by the Educational Revenue Augmentation Fund (ERAF) property tax shift.

The Public Library Fund has been reduced substantially over the last two years and another reduction may be forthcoming. The Transaction-Based Reimbursement Fund must also be protected. Libraries lost what little State funding they would have received in 2013 when the “trigger cuts” were made in the 2011-12 State Budget.

To help bolster library services, a State constitutional amendment must be passed to allow for a 55% vote – rather than the current two-thirds vote threshold – for local special taxes and bonds to fund critical local library operations and facilities.

ACTION:

1. Oppose further reductions to the Public Library Fund. Support increases in funding for library services from other resources. Support the Transaction-Based Reimbursement program. Support funding that specifically supports literacy programs.
2. Support Senate Constitutional Amendment 7 (Wolk, 2013) or similar legislation to allow for a 55% vote – rather than the current two-thirds vote threshold – for local special taxes and bonds to fund critical local library operations and facilities.

EDUCATION REVENUE AUGMENTATION FUND (ERAF) **(General Government)**

Napa County is one of the three counties that currently collect enough local property taxes to fully fund k-12 education in the County. Some of the additional remaining funds are dedicated to children’s institutions and mental health services for children. What remains after those programs are funded is considered “excess ERAF.” These funds are clearly local resources that remain after all obligations from the State are met.

Excess ERAF funds are then distributed to the 15 taxing agencies within Napa County to provide services to residents. Language approved in the 2012-13 State budget redistributes those funds to benefit the State. This redistribution of local property tax dollars is a clear violation of Proposition 1A. Legislation to correct this redistribution was vetoed by the Governor in the fall of 2012, and follow-up legislation in 2013 was held in the Senate Appropriations Committee.



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ACTION:

1. Seek legislative or legal remedy to ensure that Napa County's excess ERAF property taxes are not distributed to benefit the State. Engage the legislative delegation to advocate for positive resolution on this outstanding issue.
2. Monitor the implementation of the local control school funding formula approved as part of the 2013-14 State budget to ensure that additional impacts to ERAF and excess ERAF do not negatively impact the County.

**MERIT SYSTEM
(General Government)**

The County runs under two personnel systems: the local Human Resources system and the State of California Interagency Merit System (IMS) for certain positions in the Health and Human Services Self Sufficiency division.

The existence of the dual systems is due to State and federal regulations that impose requirements on personnel systems for employees working in child support and certain "grant-in-aid" programs. The State Personnel Board is vested with the authority to oversee these personnel systems. The State contracts with CPS Human Resources Services to perform that function on the State's behalf. This dual system has resulted in inefficiencies: two sets of paperwork, two ways of testing, two seniority systems and two disciplinary procedures.

Last year, Napa County worked collaboratively with the Administration and county colleagues to effect changes to the Merit System that are beneficial to counties. This months-long effort is nearing completion.

ACTION:

1. Seek and support legislation or administrative action to finalize the simplification of procedures by which counties convert to Approved Local Merit System (ALMS) status versus IMS. Simplification may include, without limitation, reducing state requirements to the general adherence to the Federal merit principles, rather than continuing to impose detailed prescriptive requirements for adherence. Alternatively, seek elimination of the State's Merit System, allowing counties to wholly run their own personnel systems, eliminating duplication and inefficiencies.
2. Support the periodic competitive procurement of the administrative services provided to the State by CPS Human Resources Services.



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RECYCLED WATER/ GROUNDWATER MONITORING AND SUPPLIES (Community Resources and Infrastructure)

Recycled water has become a major part of agricultural counties' solution to meet the future water demands of its citizens, particularly those who live in water-deficient areas.

Groundwater monitoring in water-deficient areas, as well as all areas of the County—particularly private wells—is a necessary measuring and planning tool, and steps should be taken to protect private well data so private owners will consent to participate in water supply and groundwater studies.

Recycled water, which is treated wastewater that can be used for irrigation, manufacturing and other non-drinking purposes, can significantly reduce counties' dependence on groundwater and potable water. Timely federal and State funding for recycled water projects is crucial, as areas such as Napa County's Milliken-Sarco-Tulocay (MST) groundwater basin area continue to suffer steep drop-offs in groundwater levels that will take longer and longer to replenish – with the possibility of complete failure of aquifers - if no alternative water source becomes available in the near future. Napa Sanitation District is increasing efforts in the area of reuse through the County's relationship with the North Bay Water Reuse Authority (NBWRA). As the State continues to face challenges regarding water supply, water reuse will become increasingly important.

Accurate groundwater monitoring is necessary to determine existing supplies and properly inform policy and planning. When public agencies collect groundwater data of private wells, the information can be obtained by the public. Private well owners have become wary of volunteering their wells for study because the data may adversely affect their property values. State legislation is needed to protect private well owners, but allow the public to view the data in aggregate and not by individual wells.

ACTION:

1. Support federal and State legislative proposals that encourage and fund recycled water projects in agricultural areas.
2. Support legislative and administrative actions which will benefit the NBWRA in its mission to create a water supply that can reliably supplement ever more scarce water supplies, reuse water; create a reliable irrigation supply for parks, public landscaping and vineyards; restore wetlands, and improve stream flows for riparian habitat and fisheries recovery.
3. Support legislation that provides funding, loans, and grants for the monitoring of privately-owned wells, where property owners voluntarily agree to participate in the County's groundwater monitoring program. Seek legislation that would



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ensure the privacy of any individual data collected, but authorize aggregated data to be released, if requested.

FARM WORKER HOUSING FUNDING (General Government)

The Napa County agricultural industry forms the backbone of the local economy, and farm workers play an important role in creating and sustaining agricultural production. However, a large segment of the County's permanent and seasonal farm workers face shortages of affordable housing, with needs ranging from permanent housing for families to shared housing for single migrant workers.

Unaccompanied men have the option of residing in one of the three Napa County farm worker housing centers, where they are provided with a dormitory bed and three meals for \$13 per day. These farm worker centers are subsidized by the \$10 per planted acre assessment that Napa County vineyard owners approved in 2002 and renewed in 2012; grants issued by charitable institutions in the County; County assistance with administrative costs; and funding from the County's incorporated cities. Since 2007, these centers, which have 180 total beds combined, have accommodated an increasing number of lodgers through extended operating periods and rising occupancy rates.

The charitable grants, which have greatly helped fund the three centers, will be discontinued in 2014, and the assessments have been maximized to the limit at \$10 per planted acre. The County is seeking to identify stable funding sources to replace the loss of revenue and limit of assessments to the continue operating the centers in future years.

ACTION:

- Identify funding sources and support legislation that provide opportunities to financially support the County's farm worker housing centers.
-

CHILD WELFARE SERVICES FOR EMANCIPATED FOSTER YOUTH (Health and Human Services)

Unacceptable social and financial costs result when foster youth, including those who reach the emancipation age of 18; those who have reached emancipation, but choose



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to remain in foster care until age 21; and those approaching the emancipation age from age 16; do not receive adequate support services while in care or move into the community from foster care settings without adequate preparation or ongoing support.

State and federal authorities are making gradual progress toward the implementation of new interventions for emancipating foster youth and enhancing services related to the well-being of children in foster care.

ACTION:

1. Support federal and State funding for new and existing programs designed to serve emancipated foster youth from ages 18-21 and youth approaching the age of emancipation, including housing, preparation and support services, education and employment services.
2. Support increases or expansions in services for all foster youth and their families when accompanied by adequate new funding to cover the costs.
3. Oppose further reductions in base funding for child welfare services in general, and continue to support restoration of past reductions in such funding.

**HEALTH CARE COVERAGE, ACCESS AND INTEGRATION
(Health and Human Services)**

For a number of years, it has been the Board of Supervisors' position that increasing the proportion of County and State residents covered by health insurance will reduce the public health risks and local costs necessary to provide acute or urgent care.

Many conditions could be treated more cost-effectively if patients had access to routine preventative care. Making health insurance accessible to all County residents would reduce County costs arising from the mandated responsibility to fund indigent care; reduce costs to local physicians, clinics and hospitals resulting from un-reimbursed or under-reimbursed care rendered to the uninsured; and strengthen the overall provider network available to all persons in the community.

Recent federal and State health care legislation is endeavoring to effectuate many of these goals. As these laws are developed and implemented at the administrative level, it is essential that the overarching principles identified above continue to guide the process.



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ACTION:

1. Support legislation that would promote better integration of health care delivery systems to reduce costs, increase efficiency and provide a higher level of services to the greatest practicable extent.
2. Support legislation to provide funding for the Partnership HealthPlan of California at levels that are actuarially sound and sufficient to ensure the safe, ongoing operation of the plan. Support measures that will strengthen the “county operated health systems” generally and the Partnership HealthPlan of California specifically, including measures allowing the organization to geographically expand its service area.
3. Support legislation that will relieve county governments of uncompensated costs associated with health coverage or with the provision of health services to low-income or indigent County residents.
4. Oppose reductions in federal or State funding for a) programs that enable county residents to gain access to health care coverage/services; b) health programs related to indigent health support; and c) other programs promoting public health.
5. Oppose legislation requiring counties to increase the amount of county discretionary funding supporting health care coverage.
6. Support legislation and funding promoting the integration of cognitive and physical health, mental health, alcohol and drug and other types of health care in unified service delivery models.
7. Support legislation promoting improved patient outcomes through increased use and interoperability of electronic health records.
8. Support measures to assure that, to the greatest extent practicable, County residents who become eligible for Medi-Cal or other governmental health coverage through health care reform or other Federal or State initiatives are served through the Partnership HealthPlan.
9. Support legislation providing support for programs providing or facilitating health care coverage for children and their families, including such programs as the Children’s Health Initiative.
10. Support legislation providing support for programs and facilitating health care coverage for older adults and caregivers.



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LOCAL MENTAL HEALTH SYSTEMS (Health and Human Services)

When the State realigned mental health services to the counties in 1991, the goal was to create a single integrated system of behavioral health services for persons with persistent mental illness.

It was recognized that these individuals were not receiving adequate attention in physical health managed care programs, so “specialty mental health services” were “carved out” from the rest of Medi-Cal managed care. Counties were given the first right of refusal to provide these services, which resulted in counties becoming the “managed mental health plan” in all but one or two counties. This configuration made counties responsible for both the most expensive mental health services such as acute hospitalization, State hospitalization, and institutions for mental disease care (IMDs), and also for the “upstream” lower cost outpatient and supportive services, which can prevent the need for more expensive residential services. It is unclear whether the Department of Health Care Services will continue this county carve-out.

There are rational reasons for consolidating mental health services under the Medi-Cal and Medicare systems, and also for integrating them more closely with physical health care. However, there are also significant risks, including: (1) In its implementation of health care reform, DHCS has consistently endeavored to promote the privatization of health care coverage, even though the overhead of administering private health care programs for low-income California residents has proven to be approximately ten times higher than for county operated health systems; (2) as noted above, the chronically and severely mentally ill have historically not been well served in the conventional health care programs; (3) the successful treatment of such individuals often depends on the provision of community based social services, many of which are unlikely to be appropriately provided in a medical system.

ACTION:

1. Support measures to reduce administrative costs of integrated mental health programs and channel those savings back to patient care.
 2. Support measures to continue the “carve-out” of specialty mental health services.
 3. Support measures to enable counties to contract for the provision of the managed care mental health benefit under the federal Affordable Care Act.
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**PROTECT HEALTH CARE SERVICES FOR
VULNERABLE AND RURAL POPULATIONS
(Health and Human Services)**

Out-of-control medical liability costs would jeopardize the viability of vital health care services needed for vulnerable populations in Napa County and other rural areas. The attendant increase in malpractice insurance costs will force many physicians to cut back on services or close their doors – further isolating rural patients. These high-risk and specialty services include: women’s health care, community clinics, health centers and rural providers. Napa County’s most vulnerable populations require doctors, nurses, clinics and hospitals to treat them, and if health care providers cannot afford liability insurance, many of these patients may be unable to find the appropriate care. The economic viability of doctors practicing in these areas is already marginal due to sparse population and low insurance and Medi-Cal reimbursement for services.

ACTION:

1. Support efforts and legislation that would protect access for vulnerable and rural populations to high-risk and specialty health care services that are jeopardized by high malpractice insurance costs.
2. Oppose legislation that would revise the Medical Injury Compensation Reform Act (MICRA) to impede access, increase health care costs, and divert health care dollars from patient care.

**PUBLIC EMPLOYEE PENSION
REFORM ACT OF 2012 IMPLEMENTATION
(General Government)**

The Legislature and Governor approved AB 340 (Furutani, 2012) to implement the Public Employee Pension Reform Act of 2012.

The measure is intended to reduce retirement costs in future years for State and local public agency employers. This will be accomplished by reducing benefits used to calculate final retirement, capping pensionable salaries, eliminating abuses, increasing retirement ages for both miscellaneous as well as safety employees, and other provisions. However, it is widely anticipated that various court challenges to local pension reform measures, as well as legal challenges to features of AB 340, may modify what the state and local agencies are able to implement in pension reform. Further, clean-up legislation may be required, as local agencies and PERS work to implement the provisions of law.



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ACTION:

1. Monitor legislative clean-up, legal challenges and possible pension reform initiatives to ensure that Napa County is able to implement Public Employees Pension Reform Act (PEPRA) in a fashion that is clear and consistent with the intent of the law.
 2. Monitor potential legislation that may prohibit retired public employees from drawing a pension while serving in elected office.
-

PROPERTY TAX POSTPONEMENT PROGRAM RESTORATION
(General Government)

In February 2009, the State Senior and Disabled Citizens Property Tax Postponement Program, which had been operating for 30 years, was suspended indefinitely by state budget cuts, leaving thousands of low- and moderate-income elderly, blind and disabled homeowners across the State vulnerable to foreclosure, eviction and potential victimization by scam artists.

Under the program, the State pays the property taxes owed to the county on behalf of an eligible homeowner as a low-interest State loan. The State loan is repaid, with interest, when the homeowner's property is transferred or sold, usually when the owner has passed away. Homeowners must apply annually for the postponement program. To qualify in 2008-09, individuals had to be 62 or older, blind or disabled, with annual household incomes of \$35,500 or less and have at least 20 percent home equity. Over 65% of the 2008 program participants had household incomes of less than \$20,000. Nearly 25% had household incomes of less than \$20,000 and property tax bills of

\$2,000 or more. There were 30 to 35 Napa County citizens enrolled in the program when it was cut in February 2009.

Additionally, the State requires that counties complete a yearly certification of participation in this program. Currently, this requirement is not funded by the State.

ACTION:

1. Support legislative and budgetary efforts to reinstate the program at the State level. Support efforts to reform the program, improve its administration by the State, establish a stable funding source for the program, and protect counties' interests in the administration and loan process.
-



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CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REFORM **(Community Resources and Infrastructure)**

The California Environmental Quality Act (CEQA), signed into law by Governor Ronald Reagan in 1970, establishes a process to incorporate scientific information and public input into the approval of development projects, both public and private. Viewed by many as California's landmark environmental law, CEQA has attracted controversy throughout its 43 years. The CEQA process remains wrought with uncertainty, costly litigation and project delays. The CEQA process needs to be simplified and streamlined to make it more fair and responsive to applicants while maintaining the environmental protections for which the law was created.

ACTION:

1. Support legislative and administrative efforts to modernize, simplify and streamline the CEQA law while maintaining the integrity of the law's environmental protections. These efforts should concentrate on making the CEQA process more effective, efficient, responsive, transparent, fair to applicants and the public, and reduce the risk and cost of litigation for local agencies.
-



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PRIORITY 3 LEGISLATION

HOUSING AND HOMELESSNESS (Community Resources and Infrastructure)

The availability of basic housing is the essential first step in preventing homelessness and transitioning the homeless into housing. As a small, semi-rural county, Napa needs sufficient housing for low-income residents, including low-income workers and older and disabled adults. The County also needs additional supportive services to enable these residents to succeed when they are placed in housing.

ACTION:

1. Maintain State funding levels to the furthest extent possible for housing and housing assistance programs for low-income and homeless persons, persons at risk of homelessness, transitional-age youth, handicapped adults, vulnerable at-risk older adults, and people suffering from mental illness. Pursue State, federal and non-governmental grants to address homelessness.
2. Support legislation that would assist in carrying out the homeless strategies contained in plans that are from time-to-time approved by the Board of Supervisors.
3. Support measures that assist local governments and communities to acquire and operate shelters, transitional housing facilities, permanent housing services and related programming for the homeless.
4. Support day programs that address the contributing factors of homelessness, such as physical and mental illness, insufficient education, and marketable skills to secure employment.
5. Support increased flexibility in the use of all federal and State benefits and funding to address problems related to homelessness.
6. Support collaborative intervention and programming for homeless children interacting with the schools and other agencies or programs.
7. Support collaborative intervention and programming for homeless older adults who are interacting with long-term support services and other agencies or programs.



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8. Support measures providing funding to prevent homelessness and re-house families and individuals who are in emergency shelters.
9. Support measures to make land available for the development of housing for chronically homeless, difficult-to-house individuals.
10. Support measures to ensure that young people exiting foster care, hospital patients, disabled adults, older adults, jail inmates, state parolees and others have secured housing upon being discharged from public institutions.
11. Support expediting the placement in State facilities of court-committed, mentally-ill defendants and support the expansion of capacity in State facilities to house these individuals. Support action to recoup from the State the County's costs of the placement of these individuals.

**EXTENDED PRODUCER RESPONSIBILITY (EPR)/
WASTE MANAGEMENT
(Community Resources and Infrastructure)**

Local jurisdictions are shouldering an ever-increasing cost for the disposal of “universal wastes,” which are toxic and hazardous substances such as batteries, sharps, and fluorescent tubes that are banned from the landfill and have no other convenient disposal method. Other problematic product “wastes,” such as carpet, mattresses, and pharmaceuticals are also costly and difficult to manage.

Presently, local governments are paying an ever-increasing cost for disposal of universal wastes, while the manufacturers and distributors of these items reap the profits, but share no burden or responsibility for costly disposal when the items are discarded. Extended Producer Responsibility (EPR) legislation would place the responsibility for free and convenient disposal of these and other problematic products back on the manufacturers and remove this costly and logistical burden from local governments. The California Department of Resources, Recycling and Recovery (CalRecycle) adopted Strategic Directive No. 5 seeking to establish legislation supporting “cradle to cradle” producer responsibility and analyzing various approaches to EPR. Legislation was approved in 2010 to address paint (AB 1343), carpet (AB 2389) and brake pads (SB 346) while bills on other products were not successful. Legislators are expected to re-introduce EPR bills in 2014 dealing with plastic bags, batteries, pharmaceuticals, needles and problematic products.



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ACTION:

1. Support legislation that complements and supplements legislative and administration efforts to implement EPR principles and removes the cost burden for disposal of products containing Universal Wastes from local governments.
 2. Support legislation which addresses EPR on a statewide basis, including a ban on plastic bags provided at retail and grocery stores.
-

SUDDEN OAK DEATH
(Community Resources and Infrastructure)

Sudden Oak Death (*Phytophthora ramorum*) is a fungal disease affecting many species of trees and shrubs in the native oak woodlands. Quarantines have been established to prevent the spread of Sudden Oak Death, yet much is not known about this new threat to California oak woodlands.

ACTION:

- Support legislative proposals that continue appropriations for regulation and research of Sudden Oak Death.
-

LOCAL CONTROL OF EMERGENCY MEDICAL SERVICES
(Health and Human Services)

Recently proposed legislation would have usurped local planning and control over emergency medical services from county purview and instead provided that the State Emergency Medical Services Authority take over that responsibility. It is possible that such legislation will be introduced again in 2014.

ACTION:

- Oppose legislation that would usurp local control over emergency medical services planning and delivery.
-



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DISEASE REPORTING (Health and Human Services)

Existing law requires the State Department of Public Health to examine the causes of communicable diseases occurring or likely to occur in the State and to establish a list of reportable diseases. Existing law also requires local health officers to immediately report to the Department every discovered, known, or suspected case of any reportable disease and, in the case of a local epidemic, to report all facts concerning the disease and the measures taken to abate and prevent its spread.

New technology makes electronic reporting systems feasible. Such systems can increase the speed with which disease and other public health concerns are detected and thus speed the response time.

ACTION:

1. Support legislation that will facilitate the development of electronic disease and syndromic surveillance systems and minimize the financial burden to counties when implementing such systems.
2. Support legislation to facilitate county health officer access to electronic medical records and disease and syndrome surveillance systems.

FUNDING FOR HEALTH AND HUMAN SERVICES PROGRAMS (Health and Human Services)

Numerous county services, especially many programs operated by the Napa County Health and Human Services Agency, are supported in whole or in part with State and/or federal funds.

Some of these programs were originally operated by the State and then transferred to the counties. In many cases, the formula for funding the transferred programs did not result in adequate revenue to cover program costs or subsequent increases in the cost of doing business.

The ability of the County to plan, develop and operate these programs is often impaired by federal and State fiscal practices. Program mandates may be imposed without sufficient funding, leaving the County to absorb program cost increases, including labor cost increases. Additionally, program funding may be reduced or eliminated as the result of unrelated bargaining in the State or federal budget processes; intergovernmental grants and allocations may be canceled after they have been awarded; performance standards may be increased without commensurate funding; audit standards may be changed after reimbursable services have been rendered;



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reductions in ongoing program funding may be imposed retroactively; the State may appropriate a portion of “pass through” funding flowing from federal funding sources to the County for its own uses; performance and audit standards for claiming and retaining program and grant funding may be imposed retroactively; and the State or federal governments may unilaterally condition their funding on increases in the amount of county financial participation.

These practices result in sudden and unpredictable variations in funding, retroactive funding decreases and the need for urgent measures at the local level to mitigate the impact of the practices – measures such as the sudden reduction or discontinuation of beneficial services, layoffs, the cancellation of service contracts with local non-profit organizations on little notice and increased competition for limited discretionary county funding.

ACTION:

1. Support the continued funding of existing programs and activities that the County is required to operate or that the County has undertaken to conduct in reliance on prior years’ funding.
2. Support funding increases to cover the expansion of programs for which there is unmet local need.
3. Support measures to cover cost increases of existing programs.
4. Oppose measures providing for eligibility services for Medi-Cal, CalFRESH and other safety net programs for Napa County residents to be shared or assumed by the State or delegated to private contractors.

IMPLEMENTATION OF KATIE A. LAWSUIT
(Health and Human Services)

The Katie A. lawsuit was settled in a manner that will require county mental health programs to provide an expanded array of services to youth who qualify for Early Periodic Screening, Diagnosis, and Treatment (EPSDT)—a federal entitlement program. Basically, this program was realigned by the State to the counties. It is essential that the counties, acting through the California Mental Health Directors Association, be given a strong voice in fashioning the manner in which the settlement is structured and implemented.



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ACTION:

- Support measures that grant counties flexibility in designing and administering expanded mental health programs for youth as a result of the settlement of the Katie A. lawsuit.
-

HEALTHY SCHOOLS
(Health and Human Services)

Schools should provide nutrition education, physical exercise and other school-based activities that are designed to promote student wellness. The curriculum for these activities should be based on research that is consistent with the expectations established in the State's curriculum frameworks and designed to build the skills and knowledge for lifelong wellness. Napa County schools should be encouraged to provide nutritious food to students that is locally grown and produced.

ACTION:

1. Support legislation that ensures that schools provide a healthy environment for children and teaches them the skills and knowledge, including nutrition education and physical exercise, for lifelong wellness.
 2. Seek and support legislation that eases the regulatory process for local agricultural products to be procured by schools, ensuring local, fresh, and nutritious meals for students, while ensuring food safety.
-

ACCESS TO ALCOHOL AND DRUG ABUSE PREVENTION,
RELATED SERVICES
(Health and Human Services)

For approximately 50 years, substance dependency and abuse have been recognized as diseases best addressed through a continuum of evidence-based prevention and treatment services. The scientific basis for this approach has been strengthened recently by research indicating the existence of a genetic predisposition to addiction.

Notwithstanding this emerging body of science, State and federal program and funding priorities do not sufficiently promote a comprehensive array of services to ensure timely access to treatment. The federal Affordable Care Act expands drug Medi-Cal benefits for childless adults who meet certain income requirements. However, there is still the



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need for funding to support case management, relapse prevention services, and family counseling under Medi-Cal, which are critical aspects of the service delivery model.

ACTION:

Pursue improved reimbursement mechanisms for substance abuse treatment services, including support of legislative/regulatory changes that would accomplish any of the following:

1. The addition of case management, relapse prevention and day treatment coverage to the Drug Medi-Cal program.
2. Prohibitions against health insurance companies excluding coverage for medical treatment for injuries sustained while the insured was intoxicated or under the influence of a controlled substance.
3. Support for the Rehabilitation Option Model in substance abuse treatment programs.

**DELTA WATER SUPPLY ALLOCATION
(Public Works)**

The Governor's Administration is pursuing a conveyance system to protect and deliver water supplies for Californians that live south of the Delta. Any new conveyance system diverting water to, from or around the Delta could impact the County's own State Water Project allocations in quality, quantity and timing of delivery. The current level of funding proposed in the 2014 water bond is insufficient to ensure all water intakes that need to be moved would receive adequate funding. Proposed water bond revisions dramatically shrink the size of the bond overall, which will further jeopardize the size of this needed pot of funding.

ACTION:

1. Advocate that protections for Napa County's water quality and allocation at the North Bay Aqueduct (NBA) intake be included in any legislation involving operational changes or physical improvements for water conveyance through or around the Delta, or ensure that there is sufficient money set aside specifically for an alternate intake project at a more desirable location.
2. Support changes to any legislation that would rewrite the Water Bond appearing on the 2014 ballot in order to reduce the local share from the current 50/50 match to the traditional 25/75 match.



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MONITOR AND SUPPORT LEGISLATION

WEED PEST MANAGEMENT FUNDING (Community Resources and Infrastructure)

Weed Pest Management Areas (WPMA) have been formed throughout California to organize all stakeholders concerned about weed control within each area. Napa County stakeholders have made efforts to establishing a WPMA and consistent funding is needed for these on-going efforts.

ACTION:

- Support federal and state legislation that would provide additional funding for WPMA's for the control of harmful non-native weed pests.

PROPOSITION 218 - WATER AND SEWER/ STORM WATER PROGRAMS (Community Resources and Infrastructure)

Two California court cases in the past seven years have determined that water and sewer user fees are subject to Proposition 218 protest hearings. These rulings have made it difficult for public agencies to increase fees or charges to cover operation and maintenance costs. Local governments, which have had to use general fund revenues to subsidize independent small water and sewer districts, have proposed the creation of a judicial review process to determine whether a particular rate increase is necessary to cover the costs of providing the benefit.

Presently, Proposition 218 makes the assessment of homeowners difficult for storm water programs mandated by the Regional Water Quality Control Boards. The homeowners affected by a project must vote to approve any assessment on their properties to fund storm water projects. Votes are weighted according to property value. Thus, a majority of homeowners in a neighborhood may be at the mercy of a single neighbor who owns an expensive parcel and thus may have de facto veto power over any project that could greatly benefit the majority. Therefore, the Board endorses the following actions:

ACTION:

1. Support a State Constitutional Amendment that creates a judicial review process



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to determine whether voter-rejected water and sewer rate increases are necessary to cover the costs of providing the benefit.

2. Support legislation to increase funding for storm water programs or exempt storm water assessments from Proposition 218 requirements.

TIMING OF STATE CONTRACTS AND REIMBURSEMENTS (Health and Human Services)

Counties receive some allocations via contracts with the state. Until counties receive the contracts from the state and then execute and return them, counties cannot claim for expenses related to these contracts.

In numerous cases, there are substantial delays between the time the County must initiate expenditures and when the contract is received and then finalized. Furthermore, reimbursements are extremely slow, causing cash flow problems for counties, especially with regard to public health allocations.

ACTION:

1. Support legislation that streamlines administrative processes for funding local programs, reduces processing times for execution of agreements or consolidates multiple funding sources where appropriate.
2. Support legislation that allows counties to opt into a system that consolidates revenue agreements with State funding agencies or otherwise simplifies systems for the delivery of revenues from the state to counties or supports the goal of health care integration.

IN-HOME SUPPORTIVE SERVICES (IHSS) (Health and Human Services)

The In-Home Supportive Services (IHSS) program is an extremely important intervention that enables many older and disabled adults to maintain themselves in their homes.

There are ongoing significant increases in (i) program utilization by older and disabled county residents; (ii) the number of caregivers and service hours; and (iii) necessary



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County administrative staffing, all resulting in a steady rise in the cost of operating the program.

Legislation facilitating collective bargaining by the caregiver workforce and increased salaries and related benefits for caregivers and other factors have resulted in the County share of cost for the IHSS program increasing more than 100% since 1987. As program costs continue to spiral upward, the State has considered a range of cost-cutting measures, some of which would result in the State reducing its own investment in the program. The State has also considered measures that are likely to result in local residents becoming unable to sustain themselves in their homes, which will increase the number of Napa County residents entering skilled nursing facilities and other institutional settings.

In the past year, the State changed the funding mechanism for the IHSS program, moving away from a funding allocation for administrative costs and a percentage cost of provider wages and benefits. In its place, the State instituted a Maintenance of Effort (MOE) that holds the County's financial participation constant (with a regulated cost of living adjustment included). This MOE allows counties to predict and contain their costs within an expensive program. The County supports the continuance of the MOE funding structure.

The County also supports IHSS program changes that integrate evidence-based practice models. Current approaches that remove social work assessment of IHSS clients (or otherwise seek to redefine the program as a medical model), or serve as a departure from the Olmstead principles of personal choice for the disabled, do not promote independence as a lifestyle and often are fiscally short-sighted. For these reasons, the County does not support them.

The IHSS program is likely to undergo changes in the next 18 months related to how IHSS providers obtain their health benefits, due to the implementation of health care reform. Additionally, the federal Department of Labor rules were changed to include IHSS providers under their coverage. This shift will result in IHSS providers who work more than 40 hours per week being eligible to claim overtime for their hours. Subsequent State legislation is anticipated in response to the federal action.

ACTION:

1. Support legislation favoring full and continued state funding of the IHSS services involving activities of daily living as necessary to adequately maintain recipients in their homes and out of institutional care.
2. Support legislation that maintains the MOE funding structure.
3. Oppose legislation imposing program reductions likely to result in an increase in the number of local residents entering skilled nursing facilities and other institutional settings.



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4. As long as the current public authority/employer of record model is retained, oppose legislation that would restrict the ability of the County to engage in the collective bargaining process, including legislation mandating specific levels of compensation or benefits.
5. Oppose legislation that would limit supportive services on the basis of medical necessity or other criteria that does not recognize the full range of supportive services necessary to prevent an older or disabled adult from progressing to otherwise unnecessary institutional care.
6. Support legislation that would limit any additional cost to the County related to payment of mandatory overtime to IHSS providers.
7. Support legislation that would allow IHSS providers to privately pursue health coverage through the federal Affordable Care Act (the “Exchange”) as opposed to benefits provided by the Public Authority, and authorize the County contribution for IHSS employee health care to be considered part of the wage.

ENHANCEMENT OF CHILD WELFARE SERVICES (Health and Human Services)

A number of state and national initiatives have promoted more intensive, evidence-based county child welfare service models to improve child and family safety and long term outcomes.

For instance, the Legislature passed Assembly Bill 636 in 2004 as part of the “redesign” of child welfare. Its purpose was to significantly improve service quality and outcomes over five to ten years. While AB 636 and related legislation required a higher level of service, they did not contain any provisions for funding those services. Court decisions appear to be moving in the direction of mandating intensive “wrap around” services for all children served in the child welfare system.

Many children would certainly benefit from this higher level of service, but it would also significantly increase operating costs. The recent economic recession was reflected in State budget planning in 2007 and, since that time, State funding for child welfare services has alternately decreased and increased. Commencing in Fiscal Year 2011-12, the State moved to “realign” funding for child welfare services to counties, however, it is not yet possible to determine whether funding levels will be realistic, given the level of service envisioned in the larger Child Welfare Redesign initiative.



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ACTION:

1. Support measures leading to increased safety, permanency and well-being for children served in the child welfare system, with commensurate increases in state funding to cover current costs and new practice requirements.
 2. Support a coordinated and evidence-based response to emerging mandates that provide for collaborative planning and action among State and local governments and support efforts for adequate funding.
-

**SENATE BILL 90 CLAIMS
(Health and Human Services)**

In prior years the State reimbursed counties after the fact (through the SB 90 claiming process) for the counties' provision of unfunded state-mandated services. The State currently owes Napa County \$8,477,000 for prior year SB 90 claims.

The SB 90 claiming system has been discontinued for FY 11-12 forward. In the 2012-13 budget, all mandates were suspended for the next three years.

ACTION:

1. Support legislative actions that ensure the timely repayment of amounts owed by the State to Napa County for prior year SB 90 mandate claims.
 2. Oppose budget action to postpone the repayment of SB 90 mandate claims to later budget years.
 3. Oppose State efforts to suspend or de-fund the mandate related to sexually violent predators. This mandate represents about \$150,000 in costs annually to Napa County to secure expert witnesses and fund related requirements necessary to properly adjudicate these cases.
-

**OLDER ADULT SERVICES
(Health and Human Services)**

Napa County has a higher percentage of older adults in its population than most California counties. This percentage and the service needs of older adults are expected



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to grow in coming years. The Board of Supervisors has established that services to our adult and frail elderly population are a priority.

ACTION:

Continue to support legislation that assists the County and other agencies that provide services to the aging and disabled, including:

1. Measures to establish a continuous appropriation (partial or full) from the Federal Trust Fund to the California Department of Aging for the Area Agency on Aging in any year in which the State budget is not enacted by July 1.
 2. Measures to expand background checks to include people that provide care for an older or vulnerable adult.
 3. Reauthorization of the Federal Older Americans Act and support for funding and appropriate measures to fully implement the Elder Justice Act.
 4. Measures to ensure adequate funding for the Adult Protective Services program.
 5. Measures to provide county governments flexibility in utilizing benefits, particularly those available under the federal Affordable Care Act, when practical for IHSS providers and measures that provide adequate State or federal funding for such benefits. Oppose measures that would reduce support for such benefits or shift responsibility for such costs to local government.
 6. Measures to support full and continued State and federal funding of the IHSS program and continuance of the Maintenance of Effort funding structure.
 7. Opposition to legislation restricting local control of Realignment dollars or mandating a certain level of IHSS worker pay.
 8. Measures to strengthen the continuum of adult services to prevent or postpone institutionalization of older adults and support basic quality of life.
-



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**PUBLIC CONSERVATOR, PUBLIC GUARDIAN AND
PUBLIC ADMINISTRATOR (INCLUSION IN STATE BUDGET)
(Health and Human Services)**

The Public Guardian or Public Conservator (PG/PC) conducts conservatorship investigations. The PG/PC also acts as the legally appointed guardian or conservator for persons found by the Court to be unable to care for themselves, their finances, or in need of protection against undue influence or fraud. Such adults often suffer from severe mental illness or are older, frail and vulnerable.

The Omnibus Conservatorship and Guardianship Reform Act of 2006 imposed certain unfunded mandates on counties, including the requirement that the Public Guardian begin an investigation within two business days of receiving a referral for conservatorship and that the Public Guardian apply for appointment as conservator if there is an imminent threat to a person's health or safety or estate. To meet these and other mandates of the Act, PG/PC staffing has been augmented. Funding for this augmentation has been supported through county discretionary funds and fees collected through the conservatee's estate. These funding sources have not kept pace with the increasing demand for services or these new mandates. Funding for this vital and critical service should be supported by the State of California.

ACTION:

- Support legislation or budget action that would provide adequate State funding for the Public Guardian and Public Conservator's office.

**STATE FUNDING FOR COUNTY VETERANS SERVICE OFFICE
(Health and Human Services)**

The County Veterans Service Office (CVSO) provides direct advocacy, claims assistance and information and referral assistance to Napa County veterans and their

families. Napa County has a veteran and active military population of approximately 11,000 (2010 Census data). Assuming an equal number of dependents, this brings the total number of people eligible for service to 22,000. The County annually receives approximately \$30,000 in State and federal fiscal support for the CVSO from subvention funding, Medi-Cal cost avoidance and license plate fees. Subvention funds are distributed to each county on a workload basis.

Federal and State revenue for the CVSO has not kept pace with the need for services and is less than the funding level called for by State law. To meet demand without



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compromising service, it has become necessary to augment the small amount of federal and State revenue with increasing amounts of County general funds.

ACTION:

- Support legislation that augments federal and State revenue in support of CVSO operations and keeps pace with the cost of doing business.
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**PUBLIC HEALTH IMPACTS OF GROWTH AND DEVELOPMENT POLICIES
(Health and Human Services)**

The term “built environment” refers to aspects of the environment that are human modified, such as homes, schools, communities, workplaces, parks, industrial areas, roads and highways. There is increasing evidence that this built environment affects public health in significant ways. Many health problems such as obesity, heart disease, stroke, cancer, asthma, stress and traffic-related injuries are impacted by how and where we build our communities. Modifications to the built environment that incorporate a focus on public health can decrease these health problems and improve physical and mental health, learning, quality of life and the more efficient movement of people, goods and services through our transportation system.

ACTION:

- Support legislation that will encourage consideration of the public health consequences of development policies. Support legislation that encourages incorporation of “healthy city” and “smart growth” principles.
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**WORKFORCE DEVELOPMENT AND RETENTION
(Health and Human Services)**

The federal Workforce Investment Act (WIA) of 1998 provides the means for linking workforce, education and business services initiatives under the One-Stop Career Center System. The Act, pending reauthorization in Congress, will secure a funding mechanism methodology for the WIA. WIA services as well as State programs are needed to develop local talent and maintain a skilled workforce – elements that are critical to a growing, healthy economy. The Napa-Lake County Workforce Investment Board, which utilizes WIA funds, has helped place many Napa County residents in jobs every year since WIA was enacted.



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Job training must be paired with job retention programs to effectively grow and maintain the local workforce. Local governments are experiencing increasing difficulty in attracting and keeping qualified candidates to fill new and existing positions, particularly in the area of health and human services. Significant labor shortages exist in critical areas where State-mandated services are provided. Aggressive measures are needed to recruit, employ and retain qualified employees in the health and human services disciplines.

Napa County supports investing in the local economy by fostering a skilled local workforce through talent development and job retention programs.

ACTION:

1. Support the reauthorization of the federal Workforce Investment Act; support funding changes that will increase services available to customers and maximize flexibility in the funding stream.
 2. Support the efforts of the Napa-Lake County Workforce Investment Board and Self-Sufficiency Division in seeking federal funding for training and placement of workers.
 3. Support legislation that allows workforce development and employment and training funds (such as TANF, Workforce Investment Act and Welfare-to-Work) to be used in job creation activities to address the lack of job opportunities for the unemployed, especially in areas of high unemployment and poverty.
 4. Support workforce development reform that provides for block grants, local governance and maximum local flexibility in funding to achieve a maximized return on workforce investment.
 5. Support funding for the development and expansion of training facilities of dislocated workers and workers with limited skills to reduce unemployment and to increase the earning capacity of workers in Napa County.
- Support legislation that establishes incentives in the education and public employment sector that will attract and/or support qualified candidates who show an interest and willingness to study and train for positions in the health and human services field, and incentivize current employees to pursue higher levels of education, training and licensure; lead to the retention of existing staff.
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WELFARE REFORM (Health and Human Services)

The original 1996 federal “Welfare to Work” law promoted proactive, evidence-based interventions to move individuals in the direction of employment, increased earnings and ultimately self-sufficiency. Recent State budget initiatives are eroding the evidence base of these programs, making them less likely to move low-income county residents off the welfare rolls and into self-sufficiency. Without sufficient State funding, local governments require more flexibility to administer the program in the cost efficient and effective manner.

ACTION:

1. Support legislation promoting flexibility at the local level to adapt the design and manner of implementation of welfare programs that: 1) takes into consideration local economic conditions and uses best-evidence practices; 2) supports innovative job training and support activities; 3) recognizes education as a key activity in welfare-to-work programming.
2. Oppose legislation providing for eligibility services to be contracted to private, for-profit companies, unless the legislation clearly addresses the factors that have made that model unsuccessful in other states. Those factors include: granting private companies wide latitude in determining eligibility and determining the amount of benefits without proper oversight by public agencies and review by the recipient.

WEIGHTS AND MEASURES PRICE VERIFICATION PROGRAMS (Community Resources and Infrastructure)

Under current statute, county boards of supervisors are provided the authority to adopt ordinances for the purposes of determining the pricing accuracy of a retail establishment using a point-of-sale (POS) system. The authorizing statute remains in effect only until January 1, 2016, as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.

ACTION:

- Support adequate funding for weights and measures programs in California generally, and specifically support the extension or elimination of the sunset deadline found in Business and Professions Code 13357.



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STATE RESPONSIBILITY AREA FEES (General Government)

As part of the 2011-2012 State Budget, the Governor approved a fee of up to \$150 per habitable structure in State Responsibility Areas (SRA). Later, the Legislature attempted to even further increase the scope and amount of the fee in a manner that would have been extraordinarily burdensome to landowners in the SRA while not actually providing any new fire protection or firefighting services to those paying the fee. The new fee additionally makes it more difficult for local fire districts to secure passage of local funding measures to provide services if a state fee is also being assessed but not

actually resulting in new services. While the measures to further increase the use of SRA fees failed in the past several years, there is an expectation that the SRA fee issue will be revisited in 2014.

ACTION:

1. Closely monitor legislation and administration efforts to revisit the current SRA fee structure.
 2. Oppose any fee structure which would increase fees on residents without commensurately providing new fire protection and prevention services.
 3. Oppose any legislation resulting from an outcome of the pending court case that would require legislative action to reinstitute the fee.
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