



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

County Manager's Office

**DATE:** June 15, 2006  
**BOARD MEETING DATE:** June 20, 2006  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** Majority

**TO:** Honorable Board of Supervisors  
**FROM:** John Maltbie, County Manager  
**SUBJECT:** County Manager's Report #11

**A. Resolution in support of AB 2169 (Montañez), Public records confidentiality**

**RECOMMENDATION:**

Adopt a resolution in support of AB 2169 (Montañez), Public records confidentiality

**VISION ALIGNMENT:**

**Commitment:** Ensure basic health and safety for all

**Goal(s):** Goal 7—Maintain and enhance the public safety of all residents and visitors.

**BACKGROUND:**

AB 2169 deletes the existing January 1, 2008 sunset date on the Safe at Home Project, thus making permanent this program, administered by the Secretary of State (SOS), that provides address confidentiality to victims of domestic violence and stalking.

Persons attempting to escape domestic violence and stalking frequently establish new names and addresses in order to prevent the violent abuser or stalker from finding and re-victimizing them. California's Safe at Home Project permits a victim of domestic violence or stalking to apply, through a community-based victims' assistance program, to the SOS for a designated address, other than the victim's actual residence, for use in public records. Local and state agencies are then required to use the victim's designated substitute address as the victim's official address for creating, maintaining, modifying, or disseminating public records.

**DISCUSSION:**

Prior to the establishment of the Safe at Home Project, victims of domestic violence and stalking crimes were subject to re-victimization by criminals who used the publicly available address information to track their movements from house to house. Since its creation in 1999, the Safe at Home project of the Secretary of State's Office has provided 2,600 victims an opportunity to live a new life without having to constantly move and live in fear of being discovered. In addition to the Secretary of State's Office's role in mail forwarding, the project prevents county clerks from divulging project participants' voter registration information, car registration and driver license records to the victim's abusers.

Because the project has been successful in helping domestic violence victims, the program's duration has been extended twice and its scope of coverage has been expanded to include stalking victims and reproductive health service providers.

**FISCAL IMPACT:**

Unknown.

**B. Resolution in support of SB 1062 (Bowen), Victims of crime: domestic violence and sexual assault**

**RECOMMENDATION:**

Adopt a resolution in support of SB 1062 (Bowen), Victims of crime: domestic violence and sexual assault

**VISION ALIGNMENT:**

**Commitment:** Ensure basic health and safety for all

**Goal(s):** Goal 7—Maintain and enhance the public safety of all residents and visitors.

**BACKGROUND:**

This bill expands eligibility for the Safe At Home program within the California Secretary of State's office to include sexual assault victims.

SB 1062 also requires that when a domestic violence shelter receives funding from both the Office of Emergency Services (OES) and the Department of Health Services (DHS) – as nearly 80% of shelters do – the two agencies need to coordinate shelter site visits and share performance data. By doing this, duplication and costs associated with the site visits for both the state and the shelters themselves can be reduced.

**DISCUSSION:**

SB 1062 amends the Government Code to allow sexual assault victims to be eligible participants in the Safe At Home program. Currently, only domestic violence and stalking victims are eligible to participate.

The Office of Emergency Services (OES) administers the Comprehensive Statewide Domestic Violence Program that provides assistance to domestic violence shelters.

The Department of Health Services (DHS) also administers a comprehensive grant program to battered women's shelters.

Most shelters operate on low budgets and rely heavily on volunteer assistance to keep their doors open. Because both OES and DHS are required to conduct site visits to assess basic operating procedures, the author states that there is great reason for the two agencies to consolidate visits and share assessment data, saving the state and shelters time, energy, and valuable resources.

**FISCAL IMPACT:**

Unknown

**C. Resolution in support of SB 1743 (Bowen), Victims of crime**

**RECOMMENDATION:**

Adopt a resolution in support of SB 1743 (Bowen), Victims of crime

**VISION ALIGNMENT:**

**Commitment:** Ensure basic health and safety for all

**Goal(s):** Goal 7—Maintain and enhance the public safety of all residents and visitors.

**BACKGROUND:**

This bill extends the address confidentiality program, currently available only to domestic violence and stalking victims, to victims of sexual assault. This bill exempts an action for name change, filed for the purpose of avoiding domestic violence or stalking or where the petitioner is a victim of sexual assault, from the requirement for publication of the order to show cause.

Under current law Code of Civil Procedure Section 1277 requires a public notice of any proposed name change to be published in a daily newspaper once a week for four consecutive weeks. For those petitioning for a name change in order to avoid domestic violence and who are also enrolled in the Safe At Home program, the proposed name can be kept confidential as part of the public notice requirement; however, the original name would still be published in the notice.

**DISCUSSION:**

For many domestic violence survivors fleeing from abuse, one of the first steps is to petition the court for a name change. For obvious safety reasons, victims are wary of having their name published in the local newspaper for fear it would make it that much easier for their assailant to locate them. Although current law allows for the proposed name to be confidential in the public notice, the original name is still published. The appearance of the original name – particularly if it's unique – alone should be enough to raise serious safety concerns.

SB 1743 waives the public notice requirement for domestic violence, sexual assault and stalking victims enrolled in the Safe At Home program who are petitioning the court for a name change.

Several states, including Colorado, Missouri and North Dakota already waive the entire public notice requirement for people who can demonstrate they're victims of domestic violence or similar crimes.

**FISCAL IMPACT:**

Unknown

- D. Resolution in support of AB 1679 (Mullin), Water: Devil's Slide bypass: Scott Creek watershed, if amended to refine the conditions of a lease between State Parks and Recreation and the Montara Water and Sanitary District to include only water extraction purposes**

**RECOMMENDATION:**

Adopt a resolution in support of AB 1679 (Mullin), Water: Devil's Slide bypass: Scott Creek watershed, if amended to refine the conditions of a lease between State Parks and Recreation and the Montara Water and Sanitary District to include only water extraction purposes

**VISION ALIGNMENT:**

**Commitment:** Preserve and provide people access to our natural environment and Responsive, effective and collaborative government.

**Goal(s):** Goal 13—Fixing the boundary between open space and development protects the quality of the natural environment and Goal 20—Government decisions are based on careful consideration of future impact rather than temporary relief or immediate gain.

**BACKGROUND:**

As amended on June 7, AB 1679 would require the California Department of Transportation (CalTrans) to transfer the State Highway Route 1 Devil's Slide bypass surplus property to the state Department of Parks and Recreation (Parks). It would authorize Parks to lease the property to the Montara Water and Sanitary District (Montara) for water resource and open-space purposes. The most recent amendments strike requirements for an option to purchase by Montara and limit the lease of the land to Montara for water resources and open-space purposes—striking recreational purposes. The amendments also require that any lease between state Parks and Montara provide for the reimbursement of state Parks costs associated with acquiring the property and the planning to integrate the property into the Montara State Beach.

Current law, authored by then-Senator Byron Sher (SB 792) required CalTrans to declare the un-used property for Devils Slide as surplus and to sell that property to Parks for state park purposes.

AB 1679 was also amended to extend the San Francisco Regional Water Quality Control Board (Region 2) to include the Año Nuevo hydrologic unit.

Under current law, San Mateo County is governed by two regional water quality control boards. The San Francisco Regional Water Quality Control Board oversees the vast majority of San Mateo County. The Central Coast Regional Water Quality Control Board has jurisdiction over small watersheds on the coast bordering Santa Cruz County.

**DISCUSSION:**

According to staff with Assembly Member Mullin's office, AB 1679 was not drafted with the express intent of allowing Montara park, recreation and open space functions in the designated property. However, the use of state Parks and Recreation and an "intermediary" allows the lease and transfer of the property at a lower rate than required if CalTrans were to transfer the property. According to Assembly Member Mullin's staff, "Montara could access water rights from CalTrans, but CalTrans would be required to charge to fair market value for access to the land (Article 19). Article 19 [of the California Constitution] does not apply to land leased by the Dept. of Parks & Rec. It is for this reason that the bill was amended to transfer the land from CalTrans to Department, so there would be room to negotiate a price for leasing the land."

The amendments noted above were taken in response to the Committee's questions and conversations between the Peninsula Open Space Trust (POST) and the Assembly Member Mullin's staff.

As drafted, the bill appears to allow Montara to use the lease land for open space purpose (in addition to water extraction). However, the bill also discusses integration of the property into the Montara State Beach—leaving the question as to who will operate the open-space functions of the property. Assuming that AB 1679 conveys open-space authority to Montara, staff fears that this will preempt ongoing efforts by County Parks to develop consensus around the most appropriate methods for delivering parks, recreation and open space services on the mid-coast.

The Legislative Committee reviewed the bill and recommend that AB 1679 be amended to strike references to open-space with the purpose of avoiding any conveyance or suggestion of conveyance of authority to Montara to provide open-space services on the subject property. This will allow the current discussions about mid-coast park, recreation and open space services to continue unimpaired. Future legislation could be sought, if needed, following this planning process.

AB 1679 appeared before Senate Transportation and Housing Committee on June 13. As reported, there were a number of questions from committee members about the precedent-setting nature of transferring lands to State Parks and Recreation for the purposes of water extraction. The committee did not take a vote and asked that the bill be returned to the committee June 20 with additional information.

**FISCAL IMPACT:**

Unknown.

**E. Resolution in opposition to AB 2469 (Evans), In-home supportive services and personal care services funding**

**RECOMMENDATION:**

Adopt a resolution in opposition to AB 2469 (Evans), In-home supportive services and personal care services funding

**VISION ALIGNMENT:**

**Commitment:** Responsive, effective and collaborative government

**Goal(s):** Goal 20—Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

**BACKGROUND:**

AB 2469 would allow counties with a population of 250,000 or less to request advance payments of Realignment funds, in the form of a General Fund loan, to address anticipated caseload growth in the In-Home Support Services (IHSS) program.

Under current law, the Realignment program several health and human service program responsibilities were transferred to counties. In addition, specific revenues were dedicated for Realignment program activities. Among the programs included in Realignment was IHSS. Proponents assert that under current law there is administrative delay in getting caseload growth realignment funds to counties. While large counties can “float” the difference, the author argues, smaller counties do not have such financial resources.

**DISCUSSION:**

AB 2469 would allow eligible counties to borrow funds from the state General Fund in an amount equal to the County’s share of IHSS cost for either a prior fiscal year for which the county has not been funded or the current fiscal year. The bill would affect approximately 33 counties (with populations of 250,000 or less). San Mateo County would not be eligible to access this option. It should be noted that AB 2469 does not require eligible counties to request or accept advance payments—the bill provides eligible counties the option.

However, opponents believe AB 2469 sets precedent for prioritizing IHSS over other Realignment programs. The Assembly Appropriations Committee analysis notes, “Providing the IHSS program with priority for realignment funds could cause significant cost pressures for other realigned programs such as Child Welfare Services and Adult Protective Services because resources may not be available to fully fund those programs if the funding has been advanced to the IHSS program based on assumptions about caseload growth.”

While Realignment has undergone minor changes and additional requirements imposed by the state, AB 2469 sets the precedent to expand the state's role in allocating Realignment funds among the relevant programs. Such efforts would contradict the block-grant like nature of the Realignment program. As a result, AB 2469 precedent could threaten local control of Realignment funds.

Due to these and other concerns, opponents include the California Association of Counties, the Urban Counties Caucus, the County Health Executives Association of California, and the California Welfare Directors Association.

**FISCAL IMPACT:**

None.

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION IN SUPPORT OF AB 2169 (MONTAÑEZ), PUBLIC RECORDS  
CONFIDENTIALITY**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, persons attempting to escape domestic violence and stalking frequently establish new names and addresses in order to prevent the violent abuser or stalker from finding and re-victimizing them; and

**WHEREAS**, California's Safe at Home Project permits a victim of domestic violence or stalking to apply, through a community-based victims' assistance program, for a designated address, other than the victim's actual residence, for use in public records; and

**WHEREAS**, since its creation in 1999, the Safe at Home project has provided 2,600 victims an opportunity to live a new life without having to constantly move and live in fear of being discovered; and

**WHEREAS**, AB 2169 deletes the existing January 1, 2008 sunset date on the Safe at Home Project, thus making permanent this program, administered by the Secretary of State (SOS), that provides address confidentiality to victims of domestic violence and stalking.



**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Board of Supervisors by adoption of this resolution hereby supports AB 2169 (Montañez) regarding public records confidentiality.

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**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION IN SUPPORT OF SB 1062 (BOWEN), VICTIMS OF CRIME:  
DOMESTIC VIOLENCE AND SEXUAL ASSAULT**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, California's Safe at Home Project permits a victim of domestic violence or stalking to apply, through a community-based victims' assistance program, for a designated address, other than the victim's actual residence, for use in public records; and

**WHEREAS**, since its creation in 1999, the Safe at Home project has provided 2,600 victims an opportunity to live a new life without having to constantly move and live in fear of being discovered; and

**WHEREAS**, Safe at Home project serves only domestic violence and stalking victims; and

**WHEREAS**, SB 1062 amends the Government Code to allow sexual assault victims to be eligible participants in the Safe At Home program; and

**WHEREAS**, nearly 80 percent of domestic violence shelter receive funding from both the Office of Emergency Services (OES) and the Department of Health Services (DHS) and are subject to site visits and performance measures from both agencies; and

**WHEREAS**, SB 1062 would require OES and DHS to coordinate shelter site visits and share performance data to reduce duplication and costs associated with the site visits for both the state and the shelters themselves.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Board of Supervisors by adoption of this resolution hereby supports SB 1062 (Bowen) regarding Victims of crime and domestic violence and sexual assault.

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**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION IN SUPPORT OF SB 1743 (BOWEN), VICTIMS OF CRIME**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, for many domestic violence survivors fleeing from abuse, one of the first steps is to petition the court for a name change; and

**WHEREAS**, under current law Code of Civil Procedure Section 1277 requires a public notice of any proposed name change to be published in a daily newspaper once a week for four consecutive weeks; and

**WHEREAS**, for those petitioning for a name change in order to avoid domestic violence and who are also enrolled in the Safe At Home program, the proposed name can be kept confidential as part of the public notice requirement; however, the original name would still be published in the notice; and

**WHEREAS**, for obvious safety reasons, victims are wary of having their name published in the local newspaper for fear it would make it that much easier for their assailant to locate them; and

**WHEREAS**, SB 1743 waives the public notice requirement for domestic violence, sexual assault and stalking victims enrolled in the Safe At Home program who are petitioning the court for a name change.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Board of Supervisors by adoption of this resolution hereby supports SB 1743 (Bowen) regarding victims of crime.

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**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION IN SUPPORT OF AB 1679 (MULLIN), WATER: DEVIL'S SLIDE  
BYPASS: SCOTT CREEK WATERSHED, IF AMENDED TO REFINE THE  
CONDITIONS OF A LEASE BETWEEN STATE PARKS AND RECREATION AND  
THE MONTARA WATER AND SANITARY DISTRICT TO INCLUDE ONLY WATER  
EXTRACTION PURPOSES**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, AB 1679 would extend the San Francisco Regional Water Quality Control Board (Region 2) to include the Año Nuevo hydrologic unit; and

**WHEREAS**, extension of the San Francisco Regional Water Quality Control Board (Region 2) to include the Año Nuevo hydrologic unit would consolidate all of San Mateo County under the San Francisco Regional Water Quality Control Board; and

**WHEREAS**, AB 1679 would also require the California Department of Transportation (CalTrans) to transfer the State Highway Route 1 Devil's Slide bypass surplus property to the state Department of Parks and Recreation (Parks) and authorize Parks to lease the property to the Montara Water and Sanitary District (Montara) for water resource and open-space purposes; and

**WHEREAS**, by allowing Parks to lease to Montara the subject lands for open-space uses, AB 1769 could preempt ongoing efforts to develop consensus around the

most appropriate methods for delivering parks, recreation and open space services on the San Mateo County mid-coast; and

**WHEREAS**, amending AB 1679 to strike references to open-space with the purpose of avoiding any conveyance or suggestion of conveyance of authority to Montara to provide open-space services on the subject property would allow discussions about mid-coast park, recreation and open space services to continue unimpaired while enabling Montara to access water on the subject lands.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Board of Supervisors does here by adopt a resolution in support of AB 1679 (Mullin) regarding water, the Devil's Slide bypass and the Scott Creek watershed, if it is amended to refine the conditions of a lease between State Parks and Recreation and the Montara Water and Sanitary District to include only water extraction purposes.

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**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION IN OPPOSITION TO AB 2469 (EVANS), IN-HOME SUPPORTIVE SERVICES AND PERSONAL CARE SERVICES FUNDING**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, AB 2469 would allow counties with a population of 250,000 or less to request advance payments of Realignment funds, in the form of a General Fund loan, to address anticipated caseload growth in the In-Home Support Services (IHSS) program; and

**WHEREAS**, AB 2469 could prioritizing IHSS over other Realignment programs such as Child Welfare Services and Adult Protective Services because resources may not be available to fully fund those other programs based; and

**WHEREAS**, AB 2469 sets the precedent to expand the state's role in allocating Realignment funds among the relevant programs, which contradicts the block-grant like nature of the Realignment program and, as a result, threatens local control of Realignment funds

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Board of Supervisors by adoption of this resolution does hereby oppose AB 2469 (Evans) regarding In-home supportive services and personal care services funding.

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