



## COUNTY OF SAN MATEO

County Manager's Office

DATE: February 5, 2009  
BOARD MEETING DATE: February 10, 2009  
SPECIAL NOTICE/HEARING: None  
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: David Boesch  
County Manager (650) 363-4121

SUBJECT: CSAC Regional Meetings; Citizen's Constitutional Convention; Plan for Safety Net Services

### RECOMMENDATION

Approve a resolution supporting the California State Association of Counties education and advocacy initiative; endorse the citizen's constitutional convention; direct the County Manager to prepare and implement a plan to meet critical safety net services during this economic downturn.

### VISION ALIGNMENT

Commitment: Responsive, effective and collaborative government

Goal: Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

### BACKGROUND

Supervisor Rich Gordon requested that the full Board consider these matters at its earliest opportunity.

Many believe that California's system of state government is broken. There is ample evidence: the state has had an on-time budget only twice in the past 25 years; the state does not have long-term strategic programs or infrastructure plans; the budget sets few if any accountable performance targets; and the budget is not adopted in an open, transparent process with public comment and debate. Over the past decade the so-called "big five", the Governor and top legislative leaders, have met behind closed doors to decide the state's spending plan. No meaningful budget hearings are conducted to provide thoughtful review of state department operations and performance. There is no discussion or debate about schools, health, criminal justice or any other vital programs and services.

Moreover, California is one of just three states (Rhode Island and Arkansas) that require a two-thirds super majority to pass a budget. The Governor has called five extraordinary legislative sessions in just the past two years. The State Legislature and Governor are seemingly unable to find solutions to close immediate spending gaps, let alone make substantive progress to reduce the structural deficit over

time.

As a result, current budget proposals include one that calls for the state to not pay mandated programs for seven months and relies on funds voters have dedicated for other uses. In San Mateo County, the proposed shift is an estimated \$100 million of state costs to our County by withholding state partnership funds from such programs as CalWorks, child welfare, foster care, Medi-Cal eligibility, and In-Home Support Services. Additionally, the proposal includes withholding local gas tax funds and voter-approved Proposition 42 transportation improvement funds; as well as borrowing from voter-approved Proposition 63, community mental health funding and Proposition 10, which funds the First Five Commission and children's health programs.

Section 2 of Article XVIII of the California Constitution allows the Legislature to convene a constitutional convention by establishing a constitutional revision commission. The last serious reforms were accomplished in the 1960's with just such a commission. Senator Mark DeSaulnier (D-Concord) introduced Senate Concurrent Resolution 3 and Assemblyman Sam Blakeslee introduced Assembly Concurrent Resolution to call for a constitutional convention. On December 16, 2008 your Board voted to endorse that legislation. The convention agenda would include: election and campaign reforms, tax and budget reforms. Additionally, Assemblyman Blakeslee introduced Assembly Bill 4 to establish the delegates to such a convention. Under AB 4, there would be 56 delegates with 14 delegates selected from each of the Board of Equalization districts. Delegates would be prohibited from holding an elective or appointive office. The term of the delegates would expire at the time the Convention submits its proposals to the Secretary of State to be voted upon at the next statewide ballot.

In December, Sheriff Greg Munks and then-Assistant County Manager David Boesch convened a group of County staff to develop an action plan to address the increased demands on health and human service "safety net" services. The group continues to meet and has expanded to include community-based service providers.

## **DISCUSSION**

An alternative to the legislative approach that has been initiated by California Forward, a bipartisan civic organization and the Bay Area Council, a moderate business association, is to call for a citizen's constitutional convention by placing an amendment before the voters to call for a constitutional convention; and, on that same ballot, authorize and set the agenda. Among the citizen's constitutional convention agenda issues to be considered:

- Abandon the two-thirds requirement to pass a budget;
- Establish a sunset commission to abolish ineffective and/or antiquated boards and commissions;
- Create a two-year, pay-as-you-go budget;
- Reform and modernize the tax structure to bring stability to the state revenue stream;
- Enact a fixed spending cap;
- Open primaries;
- Unicameral, non-partisan state government structure;
- Adjust term limits; and
- Reform the initiative process.

On Tuesday, February 24, 2009, California Forward and Bay Area Council are co-sponsoring a Constitutional Convention Summit in Sacramento. Some 100 local government officials have already registered to attend the Summit. Summit speakers include: Jim Wunderman, President & CEO of the Bay Area Council, Dan Walters, Sacramento Bee columnist and a presentation by the Fairbanks, Maslin, Maullin pollster. The format includes opportunities for questions and answers as well as a break out session to ensure active participation from participants. Additionally, the Summit includes a presentation by Senator Mark DeSaulnier and Assemblyman Sam Blakeslee that will ensure a lively discussion of the question of the preferred approach: a citizen's convention or legislative constitutional commission?

At the same time, the California State Association of Counties (CSAC) has initiated a statewide education and advocacy effort by conducting regional, multi-county budget meetings. These forums are designed to provide much needed public scrutiny of the impacts of the proposed budget solutions on local communities. Regardless of the final outcome of the state budget, I am working closely with our departments and our community partners to ensure critical safety net services are accessible to those in need during this economic downturn and can be sustained over time.

The attached resolution recommends your Board: (1) support the California State Association of Counties regional budget meetings; (2) require the County Manager prepare and implement a plan to maintain critical safety net services to the degree practicable; and (3) endorse the concept of conducting a citizen's constitutional convention to reform California's antiquated and dysfunctional budget and legislative structure.

#### **FISCAL**

The cost to participate in a regional local agency public meeting and support attendance at the Constitutional Convention Summit will not exceed \$1,000.

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

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

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**RESOLUTION IN SUPPORT OF THE CALIFORNIA STATE ASSOCIATION OF  
COUNTIES EDUCATION AND ADVOCACY INITIATIVE, ENDORSE THE CITIZEN'S  
CONSTITUTIONAL CONVENTION, DIRECT THE COUNTY MANAGER TO  
PREPARE AND IMPLEMENT A PLAN TO MEET CRITICAL SAFETY NET SERVICES  
DURING THIS ECONOMIC DOWNTURN**

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

**WHEREAS**, the State of California has consistently been unable to enact an on time budget, deferring critical safety net service program funding, mandated support for schools, and regularly borrowing mandate reimbursements, infrastructure funding from important water, flood control and our highway and transportation system and underfunding health and human service partnership programs;

**WHEREAS**, California's 476 cities, 58 counties, and more than 5,000 school and special districts cannot deliver efficient and effective public health and safety services, and education programs that California's 38 million residents rely upon and that is required to sustain the state's economy;

**WHEREAS**, due to mounting frustration and dissatisfaction with our dysfunction state government, California Forward, a non-partisan civic organization and the Bay Area Council, a business association, is conducting a California Constitutional Convention Summit to initiate a "citizen's constitutional convention";

**WHEREAS**, regardless of the final outcome of the state budget or any proposed reforms, it is important that local communities prepare and implement a plan to provide critical safety net services in response to the downturn experienced by our local, state and national economies;

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the San Mateo county Board of Supervisors that it supports and will fully participate in the California State Association of Counties regional state budget public meetings; endorses and will fully participate in the California Constitutional Summit to initiate a citizen's constitutional convention; and directs the County Manager to prepare and implement a plan to provide critical safety net services during the economic downturn as practicable.

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